



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Thu., the 18th Oct., 2018/26th Asv., 1940. [No. 29

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Printed at the Government Press, Srinagar.

PART I-A

Jammu & Kashmir Government–Orders

HIGH COURT OF JAMMU AND KASHMIR AT SRINAGAR
(Exercising powers of Bar Council under section 58 of the
Advocates Act, 1961).

Notification

No. 170 Dated 22-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Amit Birdi S/o Bhushan Lal Birdi R/o H. No. 163-A, New Plot, Jammu vide Notification No. 20 dated 06-04-2017 has been declared as absolute/final.

By order.

Notification

No. 171 Dated 22-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Mamta D/o Rajpaul R/o Kool Khurd (Arnia), Tehsil Bishnah, District Jammu vide Notification No. 71 dated 06-04-2017 has been declared as absolute/final.

By order.

Notification

No. 185 Dated 22-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Mashida Nazir D/o Nazir Ahmad Bhat R/o Chundpora (Rajpora), Baghander Mohalla, Pulwama vide Notification No. 963 dated 22-08-2017 has been declared as absolute/final.

By order.

Notification

No. 186 Dated 22-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mir Younis Mohammad S/o Mir Ghulam Mohammad R/o Ranga Hamam, Srinagar vide Notification No. 70 dated 06-04-2017 has been declared as absolute/final.

By order.

Notification

No. 187 Dated 22-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Saeeba Mushtaq Bhat D/o Mushtaq Ahmad Bhat R/o Chanda Pora, Habba Kadal, Srinagar vide Notification No. 758 dated 03-12-2016 has been declared as absolute/final.

By order.

Notification

No. 188 Dated 22-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohammad Abbas Lodhi S/o Bilal Ahmad Lodhi R/o Uderkhud Lassipora, Mohalla, Lodhi Khag, Budgam, A/P H. No. 820/SDA Colony, Bemina, Srinagar vide Notification No. 319 dated 06-06-2016 has been declared as absolute/final.

By order.

Notification

No. 189 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. John Rais Ahmad Bhat S/o Bashir Ahmad Bhat R/o Ruhu Naik Mohalla, Anantnag vide Notification No. 833 dated 16-08-2017 has been declared as absolute/final.

By order.

Notification

No. 190 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Saleem Jahangir Bhat S/o Ab. Ahad Bhat R/o Mugal Mohalla, Chattabal, Srinagar vide Notification No. 130 dated 07-04-2017 has been declared as absolute/final.

By order.

Notification

No. 191 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Irfan Rasool S/o Gh. Rasool Najar R/o Dhobi Mohalla, Sogam, Chadoora, Budgam vide Notification No. 145 dated 07-04-2017 has been declared as absolute/final.

By order.

Notification

No. 192 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Chander Kiran D/o Ram Dhan R/o H. No. 113, Lane No. 18, Greater Kailash, Jammu vide Notification No. 803 dated 16-08-2017 has been declared as absolute/final.

By order.

Notification

No. 193 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Zahoor Ahmad Magray

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S/o Ab. Ahad Magray R/o Mukdam Mohalla, Kandikhass, Handwara, Kupwara vide Notification No. 935 dated 21-08-2017 has been declared as absolute/final.

By order.

No. 194 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Tajamul Islam S/o Mohd Iqbal Beigh R/o Kral Weth, Tangmarg, Baramulla, A/P Lane No. 3, Umar Colony B, Lal Bazar, Srinagar vide Notification No. 950 dated 21-08-2017 has been declared as absolute/final.

By order.

Notification

No. 195 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Gambhir Dev Singh Charak S/o Gulchain Singh Charak R/o Charak Niwas, Lane No. 2, Greater Kailash, Jammu vide Notification No. 49 dated 06-04-2017 has been declared as absolute/final.

By order.

Notification

No. 196 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Maria Muqaddas Malik D/o Tahir Qayoom Malik R/o Mohalla Sarafan, Tehsil Bhaderwah, Doda vide Notification No. 1008 dated 15-02-2017 has been declared as absolute/final.

By order.

Notification

No. 198 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Tawseef Ahmad Sheikh S/o Mohd Rafiq Sheikh R/o New Colony, Shigan Pora, Kulgam vide Notification No. 747 dated 15-11-2014 has been declared as absolute/final.

By order.

Notification

No. 197 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Shriya Sharma D/o Ajit Sharma R/o H. No. 109, Lane No. 5, Mohalla Shiv Vihar, Janipur Colony, Jammu vide Notification No. 902 dated 13-02-2017 has been declared as absolute/final.

By order.

Notification

No. 199 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Rohini Rajwal D/o Vijay Kumar Dogra R/o Kandharnu, Nagrota Gujroo, Billawar, Kathua vide Notification No. 853 dated 15-02-2016 has been declared as absolute/final.

By order.

Notification

No. 200 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Vandhana Suberwal D/o Bachan Lal R/o H. No. 5, Lane No. 2, Chadani Vihar, Muthi, Jammu vide Notification No. 930 dated 21-08-2017 has been declared as absolute/final.

By order.

Notification

No. 201 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Irfan Shafi S/o Mohd Shafi Mattoo R/o Sarfaraz Colony, Rekh Zakura, Srinagar vide Notification No. 1234 dated 06-12-2017 has been declared as absolute/final.

By order.

Notification

No. 202 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Waseem Akram Khan S/o Mohd Latief Khan R/o Sakhi Maidan, Tehsil Mendhar, Poonch vide Notification No. 891 dated 13-02-2017 has been declared as absolute/final.

By order.

Notification

No. 203 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Abdul Hamid Shah S/o Abdul Aziz

Shah R/o 15-New Colony, Haji Bagh, Buchpora, Srinagar vide Notification No. 370 dated 08-06-2016 has been declared as absolute/final.

By order.

Notification

No. 204 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Tahir Ul Islam Dar S/o Gh. Mohd Dar R/o Hari Pari Gam, Mohalla Alamdar Colony, Tehsil Awantipora, Pulwama vide Notification No. 133 dated 07-04-2017 has been declared as absolute/final.

By order.

Notification

No. 205 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Suhaib Thakur S/o Mohamed Sidiq Thakur R/o Lasjan Bye-Pass, Pantha Chowk, Srinagar vide Notification No. 1049 dated 23-03-2017 has been declared as absolute/final.

By order.

Notification

No. 206 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Soban Qadir S/o Ab. Qadir Rather R/o Lasjan, Pantha Chowk, Srinagar vide Notification No. 152 dated 07-04-2017 has been declared as absolute/final.

By order.

Notification

No. 207 Dated 23-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Berjesh Badyal S/o Amar Nath Badyal R/o Shahpur, Majalta, Udhampur A/P H. No. 24-D/1, Tawi Vihar Colony, Sdhra, Jammu vide Notification No. 581 dated 29-11-2012 has been declared as absolute/final.

By order.

Notification

No. 208 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Zahida Aman D/o Mohd Aman Mantoo R/o Kund Waltangoo, Qazigund, Tehsil Devsar, Kulgam vide Notification No. 822 dated 15-02-2016 has been declared as absolute/final.

By order.

Notification

No. 209 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Zarafshan D/o Syed Mohd Akhlaq Qureshi R/o Suratang, Rainawari, Srinagar vide Notification No. 1077 dated 17-03-2016 has been declared as absolute/final.

By order.

Notification

No. 218 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Diwan Singh S/o Padam Singh

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R/o Village Kharangal, P. O. Chenri, Tehsil Gandow, Doda vide Notification No. 807 dated 16-08-2017 has been declared as absolute/final.

By order.

Notification

No. 247 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Owaise Javeed S/o Javeed Iqbal R/o Lal Bab Sahib, Armpora, Sopore, Baramulla vide Notification No. 818 dated 12-02-2016 has been declared as absolute/final.

By order.

Notification

No. 248 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Abdul Rouf Paray S/o Nazir Ahmad Paray R/o Village Nuner, Khan Sahib, Budgam vide Notification No. 362 dated 06-06-2016 has been declared as absolute/final.

By order.

Notification

No. 249 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Aafaq Ahmad Paray S/o Nazir Ahmad Paray R/o Ugjan, Dialgam, Anantnag vide Notification No. 763 dated 16-08-2017 has been declared as absolute/final.

By order.

Notification

No. 250 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohammad Rashid E Mehraj S/o Qazi Mehraj Ud Din R/o Hajin Sonawari, Exchange Col. W. No. 1, Tundpora, Bandipora vide Notification No. 940 dated 21-08-2017 has been declared as absolute/final.

By order.

Notification

No. 252 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mudasir Ahmad Bhat S/o Gh. Nabi Bhat R/o Dirhama, Heripora, Srigufwara, Anantnag vide Notification No. 69 dated 06-04-2017 has been declared as absolute/final.

By order.

Notification

No. 253 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Arunav Kaul S/o Ravinder Kaul R/o H. No. 504-A, Tawi Vihar Apartments, Sidhra, Jammu vide Notification No. 34 dated 06-04-2017 has been declared as absolute/final.

By order.

Notification

No. 254 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Pooja Pandit D/o Brij Nath Pandit

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R/o H. No. 532, Lane No. 3, Shiva Enclave, Roop Nagar, Jammu vide Notification No. 896 dated 19-08-2017 has been declared as absolute/final.

By order.

Notification

No. 255 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Khurshid Ahmad Allie S/o Gh. Nabi Allie R/o Soul Wanpora, Chekpora, Kulgam, Anantnag vide Notification No. 591 dated 16-10-2014 has been declared as absolute/final.

By order.

Notification

No. 259 Dated 25-05-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Aamir Ali Bhat S/o Ali Mohammad Bhat R/o Village Bozgam, Kilam, Devsar, Kulgam vide Notification No. 33 dated 06-04-2017 has been declared as absolute/final.

By order.

Notification

No. 410 Dated 13-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Anshu Mahajan S/o Arun Mahajan R/o H. No. 85, Street Mangotrian, Jain Bazar, Jammu vide Notification No. 1408 dated 30-03-2015 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 411 Dated 13-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Ramnik Bali S/o Sanjeev Bali R/o 12 C, IInd Extn., Gandhi Nagar, Jammu vide Notification No. 878 dated 19-12-2014 for a period of one year has been extended till 31-12-2018 after condonation of delay and subject to verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered there before.

Notification

No. 412 Dated 13-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Vandana Kumari D/o Girdhari Lal R/o H. No. 199, W. No. 2, Tehsil Bishnah, District Jammu vide Notification No. 338 dated 06-06-2016 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 413 Dated 13-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Rajesh Kumar S/o Rattan Lal R/o Bishnah, W. No. 9, H. No. 31, Jammu, Tehsil Bishnah, District Jammu vide Notification No. 24 dated 07-04-2016 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 414 Dated 14-06-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Muneeb Ahmed Wani S/o Gh. Mohi Ud Din Wani R/o Sarnal Payeen, Anantnag, Kashmir, District Anantnag vide Notification No. 322 dated 06-06-2016 for a period of one year has been extended till 06-06-2019 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 423 Dated 14-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Mamta Kumari D/o Ranbir Singh R/o Mera Jagir, Village Mera, Akhnoor, Jammu vide Notification No. 92 dated 23-05-2013 has been declared as absolute/final after condonation of delay.

Notification

No. 425 Dated 14-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Shagun Sharma D/o Gori Lal Sharma R/o H. No. 91, Ward No. 06, Tehsil Katra, District Reasi vide Notification No. 204 dated 29-05-2015 has been declared as absolute/final after condonation of delay.

Notification

No. 426 Dated 14-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Dinesh Kumar S/o Madan Lal R/o H. No. 34, Lane 27, Near Park Rajpura Mangotrian, Jammu vide Notification No. 360 dated 05-10-2015 has been declared as absolute/final after condonation of delay.

Notification

No. 428 Dated 18-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohd Shazad S/o Mohd Shafi R/o Bhalla Bashll (Bhalla), District Doda vide Notification No. 605 dated 01-12-2015 for a period of one year has been extended till 01-12-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 429 Dated 18-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Adam Malik S/o Mohd Sultan Malik R/o Malik Mohalla, Kupwara, Kashmir, District Kupwara vide Notification No. 878 dated 15-02-2016 for a period of one year has been extended till 15-02-2019 after condonation of delay and subject to the verification of his

Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 430 Dated 18-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Urfan Mirza S/o Ajmal Hussain R/o Badhoon, Rajouri vide Notification No. 893 dated 22-12-2014 for a period of one year has been extended till 22-12-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 432 Dated 18-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Eishaan Dadhichi S/o Parshotam Kumar Sharma R/o 276/A, Gandhi Nagar, Jammu vide Notification No. 776 dated 12-02-2016 for a period of one year has been extended till 12-02-2019 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 434 Dated 18-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Digvijay Singh Bandral S/o Gopal Singh Bandral R/o Village Nardhani, Mohalla Nadral, P. O. Rajpura, Bantalab, Jammu vide Notification No. 750 dated 02-12-2016 for a period of one year has been extended till 02-12-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 437 Dated 18-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Kalyani Singh D/o Avtar Krishan Singh R/o Kama Khan, W. No. 4, Near District Hospital, Poonch vide Notification No. 814 dated 01-03-2013 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 439 Dated 18-06-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Arushi Khajuria D/o Sham Sunder R/o H. No. 2, Gali Khilona, Pacca Danga, Jammu vide Notification No. 862 dated 19-12-2014 for a period of one year has been extended till 28-12-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

(Sd.) MOHAMMAD YASIN BEIGH,

Joint Registrar (Admn.).

HIGH COURT OF JAMMU AND KASHMIR
(Office of the Registrar General at Srinagar).

Notification

No. 629 Dated 14-09-2018.

It is hereby notified for information of all the concerned that 21st of September, 2018 (Friday) is declared as holiday on account of Ashura-i-Muharram for both wings of the High court. The Cases fixed for 21st of September (Friday) shall be listed on 24th of September, 2018 (Monday).

By order.

(Sd.) SANJAY DHAR,

Registrar General.



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JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—INFORMATION DEPARTMENT.

Subject :—Constitution of Three Member Committee in compliance of
the Judgment of the Hon'ble Supreme Court of India
dated 13-05-2015 passed in WP (C) No. 197/2004 and WP (C)
No. 13/2003.

Reference :—INF/adv-125/2017/1813 dated 08-08-2018 of Directorate of
Information & PR, J&K, Jammu.

Government Order No. 36-ID of 2018

Dated 31-08-2018.

In partial modification to Government Order No. 09-ID of 2018
dated 22-02-2018, it is hereby ordered that Ms. Neha Jalali (IIS), Deputy
Director, News Doordarshan Kendra, Jammu shall be the member of the

Three Member Committee in place of Mr. Sanjeet Khajuria, Deputy Director, News Doordarshan Kendra, Jammu.

The terms and conditions of the committee shall remain same as mentioned in the Government Order No. 09-ID of 2018 dated 22-02-2018.

By order of the Government of Jammu and Kashmir.

(Sd.) SARMAH HAFEEZ, IAS,

Secretary to the Government.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 161-Rev(LAJ) of 2018

Dated 20-03-2018.

Whereas, the land specifications whereof are given in “Annexure-A” to this notification, is required for public purpose viz. for construction of road from Sirla to Kalra Chanjood under PMGSY Phase-X, Batch-I under Pkg. No. JK14-42 at Village Kotli Manotraian, Tehsil Katra, District Reasi ;

Whereas, on the basis of an indent prepared by Executive Engineer, PMGSY Division, Reasi vide No. PMGSY/Udh-II/R/1785-89 dated 19-12-2014, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Katra, vide No. SDM/K/2016-17/2604-09 dated 23-03-2017 for land measuring 34 Kanals and 05½ Marlas, situated in Village Kotli Manotraian, Tehsil Katra, District Reasi ;

Whereas, the Collector, Land Acquisition (SDM), Katra vide No. SDM/K/2017-18/3058 dated 14-10-2017 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ADC), Reasi vide his letter referred to above duly endorsed by District Collector (DC), Reasi vide No. DC/RSI/17-18/986-87/SQ dated 04-01-2017, has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of road from Sirla to Kalra Chanjood under PMGSY Phase-X, Batch-I under Pkg. No. JK14-42 at Village Kotli Manotraian, Tehsil Katra, District Reasi.

Now, therefore, in pursuance of section 6 of the J&K Land Acquisition Act, Samvat 1990, it is declared that the land measuring 34 Kanals and 05½ Marlas situated in Village Kotli Manotraian, Tehsil Katra, District Reasi, particulars whereof are given above is required for public purposes viz. for construction of road from Sirla to Kalra Chanjood under PMGSY Phase-X, Batch-I under Pkg No. JK14-42 at Village Manotraian, Tehsil Katra, District Reasi. Further, the Collector, Land Acquisition (SDM), Katra is directed under Section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,

Commissioner/Secretary to the Government,
Revenue Department.

Annexure—‘A’

Particulars of the land

District	Tehsil	Village	Kh. Nos.	Area
				K. M.
Reasi	Katra	Kotli Manotraian	52 min	10-17
			07	01-09
			51 min	02-02
			10	01-12.50
			11	05-10
			12	03-01
			37	03-06
			13	00-05
			34	00-17
			34 min	01-06
			33	04-00
			Total	34-5.50

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 162–Rev(LAJ) of 2018

Dated 20–03–2018.

Whereas, the land specifications whereof are given below is required for public purpose viz. for construction of Bhatyas Manoo road at Village Chilly Paine Part–IV, Tehsil Bhalessa, District Doda ;

Particulars of land

District	Tehsil	Village	Khasra Nos.	Area
				K. M.
Doda	Gandoh	Chilly Paine Part-IV	162 min	00–03
			166 min	00–05
			164 min	00–10
			165 min	00–12
			163 min	00–09
			290 min	00–10
			360 min	01–10
			Total	03–19

Whereas, on the basis of indent prepared by Executive Engineer, PWD Sub-Division, Gandoh vide No. 4423-27 dated 23-02-2010, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Gandoh, vide No. 126-32/LAS dated 30-05-2016, for land measuring 03 Kanals and 19 Marlas situated at Village Chilly Paine Part-IV, Tehsil Gandoh, District Doda ;

Whereas, the Collector, Land Acquisition (SDM) Gandoh vide No. 429-30/LAC dated 18-12-2017 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Gandoh vide above referred letter duly endorsed by District Collector (DC), Doda, vide No. 666/LAC/D/17 dated 03-02-2018 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of Bhatyas Manoo road at Village Chilly Paine Part-IV, Tehsil Bhalessa District Doda.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 03 Kanals and 19 Marlas, situated in Village Chilly Paine Part-IV, Tehsil Gandoh, District Doda, particulars whereof are given above is required for public purposes viz. for construction of Bhatyas Manoo road at Village Chilly Paine Part-IV, Tehsil Bhalessa, District Doda. Further, the Collector, Land Acquisition (DC), Doda is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the

case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH IAS,

Commissioner/Secretary to the Government,
Revenue Department.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 163–Rev(LAJ) of 2018

Dated 20–03–2018.

Whereas, the land specifications whereof are given at “Annexure-A” to this notification, is required for public purpose viz for construction of Bhalra to Diggi PMGSY road situated in Village Nagni, and Misrata, Tehsil Bhaderwah, District Doda phase–X through PMGSY;

Whereas, on the basis of an indent prepared by Executive Engineer, PMGSY Division, Bhaderwah vide No. PMGSY/D/1237 dated 04–07–2017 duly confirmed by Chief Engineer, PMGSY JKRRDA, Jammu vide No. CE/PMGSY/J/14727-29 dated 22–09–2017, a notification under section 4 (1) was issued by District Collector, Land Acquisition (DC), Doda, vide No. LAC/117-18/500-508 dated 09-11-2017 for land measuring 07 Kanals and 14 Marlas, situated in Village Nagni and Misrata, Tehsil Bhaderwah, District Doda ;

Whereas, the Collector, Land Acquisition (SDM), Gandoh has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by District Collector, Land Acquisition (ADC), Bhaderwah, vide No. ADC/LAC/16-17/637-38 dated 12-12-2017 above referred letter duly endorsed by District Collector (DC), Doda, vide No. 563-LAC/D/17 dated 12-01-2018, has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. construction of Bhalra to Diggi PMGSY road in Village Nagni and Misrata, Tehsil Bhaderwah, District Doda.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 07 Kanals and 14 Marlas situated in Village Nagni and Misrata, Tehsil Bhaderwah, District Doda, particulars whereof are given above is required for public purposes viz. for construction of Bhalra to Diggi PMGSY road in Village Nagni and Misrata, Tehsil Bhaderwah, District Doda. Further, the Collector, Land Acquisition (SDM), Bhaderwah is directed under Section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,

Commissioner/Secretary to the Government,
Revenue Department.

Annexure—‘A’

District	Tehsil	Village	Kh. Nos.	Area
				K. M.
Doda	Bhaderwah	Nagni	386 min	00–07
		Total area of Village Nagni		00–07
		Misrata	06 min	00–04
			06 min	00–08
			08	00–18
			326	00–14
			335	00–16
			336	00–05
			339 min	02–00
			339 min	01–04
			327	00–12
			328	00–06
		Total area of Village Misrata		07–07
		Grand total area of both the Villages		07–14

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 164–Rev(LAJ) of 2018

Dated 26–03–2018.

Whereas, the land specifications whereof are given in “Annexure “A” to this notification is required for public purpose viz. for widening/four laning of Jammu-Akhnoor road in Village Nowabad, Tehsil and District Jammu by NHIDCL ;

Whereas, on the basis of indent placed by General Manager (P), NHIDCL, J&K, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Jammu vide No. DCJ/LA/J-A Road/2017-18/1232-38 dated 15-12-2017 for land measuring 129 Kanals and 11 Marlas situated at Village Nowabad, Tehsil and District Jammu ;

Whereas, the Collector, Land Acquisition (ACR), Jammu vide No. DCJ/LA/J-A Road/2017-18/1404-05 dated 06-01-2018 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ACR), Jammu vide No. referred above duly endorsed by Deputy Commissioner, Jammu vide No. DCJ/LA/J-A Road/Nowabad/2017-18/1444-45 dated 09-01-2018 and by Divisional Commissioner, Jammu vide No 502/3064/Acq/NHIDCL/Nowabad/J/18/4548-50 dated 07-03-2018 has

been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given in “Annexure-A” to this notification, is required for public purpose viz. for widening/four laning of Jammu-Akhnoor road in Village Nowabad, Tehsil and District Jammu by NHIDCL.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 129 Kanals and 11 Marlas, situated in Village Nowabad, Tehsil and District Jammu, for widening/four laning of Jammu-Akhnoor road by NHIDCL, particulars whereof are given in “Annexure-A” to this notification is required for public purposes viz. for widening/four laning of Jammu-Akhnoor road in Village Nowabad, Tehsil and District Jammu by NHIDCL. Further, the Collector, Land Acquisition (ACR), Jammu is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/ rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH IAS,

Commissioner/Secretary to the Government,
Revenue Department.

Annexure—‘A’

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Jammu	Jammu	Nowabad	51	00–01
			53	00–03
			64	46–13
			235	00–12
			236	03–13
			237	01–12
			275	04–13
			276	00–04
			277	00–08
			288	00–10
			290	00–08
			291	13–13
			367	57–00
			483	00–01
			Total	129–11



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

In pursuance to Government Order No. 184-FST of 2018 dated 25-05-2018, we the undersigned do hereby hand over and take over the charge of Divisional Forest Office, Poonch Forest Division today on the 28th of May, 2018 F. N.

(Sd.) SH. MOHD HUSSAIN, SFS,
Relieved Officer.

(Sd.) SH. MOHAN CHOUDHARY, IFS,
Relieving Officer.

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Subject :—Assuming the charge of the post of Director General (Plg.),
Agriculture Production Department.

Reference :—Government Order No. 270-PD of 2018 dated 21-08-2018.

Pursuant to Government Order No. 270-PD of 2018 dated 21-08-2018, I, Anil Kumar Gandotra, do hereby assume the charge of the post of Director General (Plg.), Agriculture Production Department today on 04-09-2018 (F. N.).

Dated : 04-09-2018.

Place : Srinagar.

(Sd.) A. K. GANDOTRA,
Director General (Plg.),
Agriculture Production Department.



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Vol. 131] Srinagar, Thu., the 18th Oct., 2018/26th Asv., 1940. [No. 29

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separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
DEPARTMENT OF COMMERCIAL TAXES
EXCISE AND TAXATION COMPLEX,
SOLINA, RAMBAGH, SRINAGAR.

Notification No.45/2018-GST

In exercise of the powers conferred by section 48, of the Jammu and Kashmir Goods and Services Tax Act, 2017 (Act No. V of 2017), read with sub-rule (3) of rule 83 of the Jammu and Kashmir Goods and Services Tax Rules, 2017, I, the Commissioner, on the recommendations of the Council, hereby notify the National Academy of Customs, Indirect Taxes and Narcotics, Department of Revenue, Ministry of Finance, Government of India, as the authority to conduct the examination as per the said sub-rule.

This notification shall be deemed to have come into force with effect from 28th of May, 2018.

(Sd.).....

Commissioner, Commercial Taxes,
Jammu and Kashmir.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ADDITIONAL DEPUTY COMMISSIONER),
BILLAWAR, DISTRICT KATHUA.

Notification No. ADC/B/11 of 2018

Dated 16-02-2018.

Subject:— Notification under section 4, sub-section (1) of the Land Acquisition Act, 1990 Samvat of PMGSY Road L028-Kohag to Lahari, Village Kohag.

In exercise of powers conferred under section 4, sub-section (1) of the Land Acquisition Act, 1990 Samvat as amended up-to-date and indent placed by Chief Engineer, PMGSY, vide No. CEJ/PMGSY/2580-82 dated 03-05-2017, I, Joginder Singh Rai, (KAS), Collector, Land Acquisition (Additional Deputy Commissioner), Billawar do hereby notify the land particulars which are given below required for the public purpose namely for construction of road L028-Kohag to Lahari, Village Kohag under Pkg. No. JK07129 District Kathua by PMGSY.

Any objection to the acquisition of the said land be filed in the office of the undersigned within 15 days from the date of publication of this notification in the newspapers :—

Particulars of land

District	Tehsil	Village	Kh. No.	Area
1	2	3	4	5
Kathua	Billawar	Kohag	294 min	K. M. 00-½
			215 min	01-03

1	2	3	4	5
				K. M.
			233 min	01-14
			818/228 min	02-09
			226 min	02-03
			215 min	00-12
			227 min	01-04
			182 min	02-13
			898/156 min	13-08
			Total	25-6.5

(Sd.) JOGINDER SINGH RAI, (KAS),

Collector, Land Acquisition,
(Additional Deputy Commissioner),
Billawar.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ADDITIONAL DEPUTY COMMISSIONER),
BILLAWAR, DISTRICT KATHUA.

Notification No. ADC/B/15 of 2018

Dated 06-03-2018.

Subject:- Notification under section 4, sub-section (1) of the
Land Acquisition Act, 1990 Samvat of PMGSY Road
L024-Malhar to Marhoon, Village Malhar.

In exercise of powers conferred under section 4,
sub-section (1) of the Land Acquisition Act, 1990 Samvat as amended

up-to-date and indent placed by Chief Engineer, PMGSY, JKRRDA, vide No. CEJ/PMGSY/2580-82 dated 03-05-2017, I, Joginder Singh Rai, (KAS), Collector, Land Acquisition (Additional Deputy Commissioner), Billawar do hereby notify the land particulars which are given below are required for the public purpose namely for construction of road L024-Malhar to Marhoon, Village Malhar under Pkg. No. JK07136 District Kathua by PMGSY.

Any objection to the acquisition of the said land be filed to the office of undersigned within 15 days from the date of publication of this notification in the newspapers :—

Particulars of land

District	Tehsil	Village	Kh. No.	Area
1	2	3	4	5
				K. M.
Kathua	Lohai-Malhar	Malhar	134 min	00-07.5
			1789/141 min	06-12
			159 min	12-00
			1589/164 min	10-00
			171 min	03-12.5
			1721/1705/1636/174 min	01-09
			175 min	01-13
			178 min	00-17
			188 min	00-15
			191 min	00-09

1	2	3	4	5
				K. M.
			1701/193	min 04-05
			233	min 03-08
			235	min 01-13
			1924/237	min 01-02
			1893/237	min 00-02
			247	min 01-0.5
			257	min 01-08
			265	min 01-16.5
			267	min 00-15.5
			280	min 00-01
			283	min 00-01
			259	min 00-15
			1946/1581/365	min 01-17.5
			369	min 00-11.5
			372	min 01-04
			1910/373	min 00-14
			374	min 00-09
			397	min 17-00
			429	min 13-00
			430	min 01-13
			1750/1575/531	min 08-0.5
			552	min 00-13

1	2	3	4	5
				K. M.
			585 min	00-08
			556 min	01-04
			1739/656 min	02-14
			1909/237 min	00-1.5
			Total	103-18.5

(Sd.) JOGINDER SINGH RAI, (KAS),
Collector, Land Acquisition
(Additional Deputy Commissioner),
Billawar.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ADDITIONAL DEPUTY COMMISSIONER),
BILLAWAR, DISTRICT KATHUA.

Notification No. ADC/B/16 of 2018

Dated 06-03-2018.

Subject:- Notification under section 4, sub-section (1) of the
Land Acquisition Act, 1990 Samvat of PMGSY Road
“Dhar road (Sonota) to Garh Samnabanj, Village Kah”.

In exercise of powers conferred under section 4, sub-section (1) of the Land Acquisition Act, 1990 Samvat as amended up-to-date and indent placed by Executive Engineer, PMGSY Division Udhampur vide No. PMGSY/Div/Udh-1/943-46 dated 19-07-2008, I, Joginder Singh Rai, (KAS), Collector, Land Acquisition (Additional Deputy Commissioner), Billawar do hereby notify the land particulars which are given below are required for the public purpose namely for construction of road “Dhar road (Sonota) to Garh Samnabanj, Village Kah” under PMGSY phase-VI, Tehsil Ramkot.

Any objection to the acquisition of the said land be filed in the office of undersigned within 15 days from the date of publication of this notification in the newspapers :—

Particulars of land				
District	Tehsil	Village	Kh. No.	Area
1	2	3	4	5
				K. M. S.
Kathua	Ramkot	Kah	1115 min	01-01-136
			1115 min	00-07-45
			1115 min	00-14-91
			1115 min	01-07-271
			1115 min	00-01-136
			1115 min	00-01-136
			1115 min	00-01-136
			1115 min	23-17-03
			1115 min	02-12-269
			07 min	06-14-00
			03 min	00-05-00
			11 min	01-02-00
			45 min	00-03-00
			45 min	00-01-00
			41/1 min	00-02-00
			40 min	00-01-00
			32 min	00-8.5-00
			32 min	00-4.5-00
			32 min	00-05-00
			31 min	00-05-00
			30 min	00-01-00
			29 min	00-09-00
			23 min	00-07-00
			22 min	00-11-00
			22 min	00-07-00

1	2	3	4	5
				K. M. S.
			18 min	00-08-00
			41 min	03-04-00
			12 min	10-13-00
			13 min	00-16-00
			16 min	17-15-00
			66 min	02-11-00
			1115 min	00-1.5-00
			Total	77-1.5-00

(Sd.) JOGINDER SINGH RAI, (KAS),
Collector, Land Acquisition
(Additional Deputy Commissioner),
Billawar.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ADDITIONAL DEPUTY COMMISSIONER),
BILLAWAR, DISTRICT KATHUA.

Notification No. ADC/B/17 of 2018

Dated 08-03-2018.

Subject:— Notification under section 4, sub-section (1) of the
Land Acquisition Act, 1990 Samvat of PMGSY Road
Kishanpur to Mohalla Nargrotian, Village Dungara.

In exercise of powers conferred under section 4, sub-section (1) of the Land Acquisition Act, 1990 Samvat as amended up-to-date and indent placed by Chief Engineer, PMGSY, JKRRDA, vide No. CEJ/PMGSY/2580-82 dated 03-05-2017, I, Joginder Singh Rai, (KAS), Collector, Land Acquisition (Additional Deputy Commissioner), Billawar do hereby notify the land particulars which are given below are required for the public purpose namely for construction of road Kishanpur to Mohalla Nargrotian, Village Dungara under Pkg. No. JK0782 District Kathua by PMGSY.

Any objection to the acquisition of the said land be filed in the office of undersigned within 15 days from the date of publication of this notification in the newspapers :—

Particulars of land				
District	Tehsil	Village	Kh. No.	Area
1	2	3	4	5
Kathua	Billawar	Dungara	2941/1470	K. M. min 00-06
			2939/1469	min 00-06
			2937/1468	min 00-05
			1467	min 00-02
			1466	min 00-02
			2923/1465	min 00-02
			2931/1464	min 00-02
			2931/1464	min 00-04
			2931/1464	min 00-03
			2930/1463	min 00-02
			2930/1463	min 00-08
			2925/1460	min 00-04
			2927/1461	min 00-02
			2899/1384	min 00-17
			2899/1384	min 00-02
			1383	min 00-04
			1383	min 00-02
			1383	min 00-02
			1382	min 00-14
			1381	min 00-11
			1381	min 00-04
			1462	min 04-01
			727	min 00-07
			727	min 00-04
			727	min 00-02
			741	min 01-18
			2805/732	min 00-19
			1293	min 01-18
			1291	min 00-01
			1291	min 01-05

1	2	3	4	5
				K. M.
			1291 min	00-06
			1391 min	00-18
			1291 min	00-07
			1291 min	00-06
			1295 min	00-02
			1295 min	00-01
			1296 min	00-07
			1296 min	00-12
			1296 min	00-06
			1297 min	00-09
			1297 min	00-08
			1297 min	00-11
			1297 min	00-18
			1297 min	01-16
			1289 min	00-04
			1298 min	00-13
			1300 min	00-17
			1300 min	00-06
			1301 min	00-19
			1301 min	00-15
			1301 min	00-05
			1301 min	01-17
			1302 min	00-08
			1274 min	05-06
			1267 min	01-05
			1266 min	02-04
			Total	38-08

(Sd.) JOGINDER SINGH RAI, (KAS),

Collector, Land Acquisition
(Additional Deputy Commissioner),
Billawar.



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Separate paging is given to this part in order that it may be filed as a separate compilation.

ADVERTISEMENTS—C

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE GENERAL MANAGER, RANBIR
GOVERNMENT PRESS, JAMMU (TAWI)—180 005.

Short Term Tender Notice

Sealed tenders affixed with revenue stamps worth Rs. 5/- are invited from the interested parties/registered private firms/authorized dealer for the rate contract for supply of **“Mill Board”** as per below mentioned specifications. The tenders should reach in this office of the undersigned by or before 4.00 P. M. up to 22-10-2018 and shall be opened on the same day or any other date convenient to the Petty

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Purchase Committee of the department, in presence of the tenderers or their representatives, who may like to be present on the opening occasion :—

S. No.	Material Required	Quantity
1.	Mill Board (27"x32") ½ lb.	5,000 Sheets

TERMS AND CONDITIONS :

1. Rates should be quoted FOR Press, including GST and other charges.
2. The tenderers are advised to furnish earnest money of 2% of the tendered value in the shape of CDR/FDR duly pledged to the General Manager, Ranbir Govt. Press, Jammu.
3. Material should be supplied within 15 days from the date of issuance of supply order.
4. Payment shall be made after proper survey of the material by this department.

For and on behalf of the Governor of Jammu and Kashmir.

(Sd.) F. H. QADRI,
General Manager.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE GENERAL MANAGER, GOVERNMENT
PRESS, SRINAGAR.

e-Tender Notice No. 06 of 2018 dated 01-10-2018

**(Supply and installation of Compressor for Printing
Machines)**

For and on behalf of the Governor of Jammu and Kashmir,
e-Tenders affixed with revenue stamps worth Rs. 5/- are invited from

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manufacturers, authorized dealers for supply of Oil Based Vacuum Pressure Pump annexed to this e-Tender notice with specifications in the schedule forming part of terms and conditions of this NIT. The e-Tender Notice can be downloaded/accessed on www.jktenders.gov.in

01	Date of issue of Tender Notice	29-09-2018
02	Period of downloading of documents	01-10-2018 (11.00 A. M.) to 15-10-2018
03	Bid submission start date	01-10-2018 (12.00 Noon)
04	Bid submission end date	16-10-2018 (4.00 P. M.)
05	Last date for receiving hard copy of (original tender fee and earnest money in the prescribed form)	17-10-2018 (4.00 P. M.)
06	Date and time of opening of technical/financial bids	19-10-2018 (11.30 A. M.)
07	Sale of tender form against DD (Non-refundable) of Rs. 200/- pledged in favour of Accounts Officer, Govt. Press, Srinagar	01-10-2018 to 15-10-2018 (3.00 P. M.)
08	Earnest Money	Rs. 10,000/- or equivalent to 2% of their Tendered Cost. However, the registered SSI Units are required to furnish 50% of the prescribed earnest money subject to minimum of Rs. 5,000/-.

The uploaded bids on the website will be opened as per above schedule in the Office of the General Manager (Convener), Purchase

Committee, Government Press, Srinagar in presence of bidders who wish to attend. In case of holiday or office remain closed due to unavoidable circumstances, on the date of opening of bid, the bids will be opened on the next working day and will be communicated accordingly to the bidders through e-mail or telephonically.

(Sd.) AIJAZ AHMAD AKHOON,
General Manager.



رجسٹرڈ نمبر ہے کے۔ 33

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 131۔ سرینگر۔ مورخہ 18 اکتوبر 2018ء بمطابق 26 اسونا 1940 ویروار نمبر 29

استہارات

از عدالت چیف جوڈیشل مجسٹریٹ راجوری

سرکار بنام ظفر اقبال خان

علت نمبر 29 سال 2016ء، تھانہ پولیس راجوری

مثل نمبر چالان / 226 متدائرہ 18-1-2016

بجرائم زیر دفعہ: 510/RPC

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ زیر مثل نمبری چالان/226 متدارہ 18-1-2016
بعنوان سرکار بنام ظفر اقبال خان علت نمبر 29 سال 2016ء بجر ائم
510/RPC میں ملزم ظفر اقبال خان ولد محمد خان قوم ڈومال ساکنہ منجہ کوٹ
حال ڈنی دھار تحصیل راجوری ضلع راجوری کی نسبت رپورٹ پولیس ہے۔ کہ
ملزم مذکور بعد از وقوعہ ریاست سے لاپتہ ہے اور ملزم مذکور کی سر دست دستیابی
کی کوئی امید نہ ہے اس نسبت تلاش کنندہ کا بیان قلمبند کیا گیا بروے بیان
تلاش کنندہ راقم کو اطمینان ہوا ہے اور ملزم مذکور کے خلاف کارروائی زیر دفعہ
512 ضابطہ فوجداری باعمل لائی جاتی ہے۔

لہذا اہلکاران پولیس ریاست جموں و کشمیر کو بذریعہ وارنٹ گشتی
گرفتاری بمنشاء زیر دفعہ 512 ضابطہ فوجداری حکم دیا جاتا ہے کہ ملزم مذکور
جب بھی اور جہاں کہیں بھی اندر حدود ریاست جموں و کشمیر دستیاب
پائیں۔ فوری طور پر گرفتار کر کے روبرو عدالت ہدائش کریں۔ وارنٹ ہذا
تا دستیابی ملزم مذکور زیر کار رہیگا۔

تحریر : 27-1-2017

دستخط : چیف جوڈیشل مجسٹریٹ راجوری

از عدالت ڈسٹرکٹ موبائیل مجسٹریٹ درجہ اول ٹریفک کوٹ راجوری

سرکار بنام بشارت حسین وغیرہ

علت نمبر 414 سال 2012ء، تھانہ پولیس راجوری

تاریخ دائرہ	تاریخ وارنٹ	آئندہ تاریخ
16-11-2012	21-12-2017	12-1-2018

بجرائم زیر دفعات : 379/447 RPC

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصّدر میں ملزم مشتاق حسین ولد وزیر حسین قوم گوجر ساکنہ ترالہ گجران بعد ارتکاب جرم میں روپوش ہے۔ لہذا آپ کو بذریعہ وارنٹ گشتی عام ہذا حکم و اختیار دیا جاتا ہے کہ اگر ملزم مذکور اندر حدود ریاست جموں و کشمیر دستیاب ہو تو گرفتار کر کے عدالت ہذا میں پیش کریں۔ واضح رہے کہ وارنٹ ہذا تا دستیابی ملزم زیر کار رہیگا۔

آج مورخہ 12-12-2018 کو دستخط رانم و مہر عدالت ہذا سے جاری ہوا ہے۔

دستخط : ڈسٹرکٹ موبائیل مجسٹریٹ درجہ اول ٹریفک کورٹ راجوری

از عدالت چیف جوڈیشل مجسٹریٹ راجوری

سرکار بنام طالب حسین عرف طفیل

علت نمبر 96 سال 2013ء، پولیس تھانہ راجوری

بجرائم زیر دفعات : 343/365/RPC

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ زیر مثل نمبری چالان / 137 برآمدہ / 149 متدارہ
30-8-2013/17-10-2016 بعنوان سرکار بنام طالب حسین عرف طفیل
علت نمبر 96 سال 2013ء بجرائم 343/365/RPC میں ملزم طالب حسین
عرف طفیل ولد محمد حسین قوم گوجر ساکنہ دھڑہ سانولہ تحصیل راجوری ضلع راجوری کی نسبت
رپورٹ پولیس ہے۔ کہ ملزم مذکور بعد از وقوعہ ریاست سے لاپتہ ہے اور ملزم مذکور کی
سردست دستیابی کی کوئی امید نہ ہے اس نسبت تلاش کنندہ کا بیان قلمبند کیا گیا
بروے بیان تلاش کنندہ راقم کو اطمینان ہوا ہے اور ملزم مذکور کے خلاف
کارروائی زیر دفعہ 512 ضابطہ فوجداری باعمل لائی جاتی ہے۔

لہذا اہلکاران پولیس ریاست جموں و کشمیر کو بذریعہ وارنٹ گشتی گرفتاری
بمنشاء زیر دفعہ 512 ضابطہ حکم دیا جاتا ہے کہ ملزم مذکور جب بھی اور جہاں
کھیں بھی اندر حدود ریاست جموں و کشمیر دستیاب پائیں۔ فوری طور پر گرفتار
کر کے روبرو عدالت ہذا پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم مذکور زیر
کار رہیگا۔

وارنٹ ہذا آج دستخط و مہر عدالت ہذا سے جاری کیا گیا تحریر الصدر 04-12-2017

دستخط: چیف جوڈیشل مجسٹریٹ راجوری

از عدالت ایڈیشنل سیشن جج راجوری

سرکار بنام جاوید احمد وغیرہ
علت نمبر 38 سال 2012ء ، تھانہ پولیس تھنہ منڈی

مثل نمبر چالان/10/17/36 دائرہ 15-6-2012

7-7-2012

20-7-2012

فیصلہ رواں

بجرائم زیر دفعات : 376/366/458/323/109 RPC

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزم : محمد سریف ولد عبدل ساکنہ موضع منگوٹہ تحصیل تھنہ منڈی ضلع راجوری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصّدر میں آپ کو تحریر کیا جاتا ہے کہ ملزم کو عرصہ سے طلب کیا جا رہا ہے۔ الا ملزم حاضر عدالت نہ آ رہا ہے۔ اس نسبت تعمیل کنندہ کا بیان بھی قلمبند کیا گیا۔ تعمیل کنندہ کا بیان یہ ہے۔ کہ ملزم کو علاقہ ہذا میں کافی تلاش کیا گیا۔ الا وہ

دستیاب نہ ہوا۔ ملا خط مثل و بیان تعمیل کنندہ سے پایا گیا ہے کہ ملزم کی تعمیل بطریق معمولی جلدی ہونی مشکل ہے۔

لہذا ملزم کے خلاف وارنٹ گشتی عام جاری کیا جاتا ہے۔ اور اہلکاران پولیس ریاست جموں و کشمیر کو حکم دیا جاتا ہے کہ وہ ملزم کو اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو گرفتار کر کے رُوئے عدالت ہذا پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہیگا۔

آج مورخہ 03-10-2017 کو دستخط راقم و مہر عدالت ہذا سے جاری ہوا ہے۔

دستخط : ایڈیشنر سیشن جج راجوری



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Sat., the 6th Oct., 2018/14th Asv., 1940. [No. 27-3

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
DIRECTORATE OF RURAL DEVELOPMENT DEPARTMENT,
LAL MANDI, SRINAGAR-KASHMIR.

Notification No. 04-DRDK of 2018

Dated 06-10-2018.

Whereas, in pursuance of the provisions of sub-section (3) of section 4 of Jammu and Kashmir Panchayati Raj Act, 1989 amended up to 2018 and sub-rule (1-A) of Rule 4 of Panchayati Raj Rules, 1996 amended up to September, 2018 and as per SRO-181 dated 18th June, 2004, the Director, Rural Development, Kashmir has been appointed as prescribed authority to reserve/allotment of Sarpanch/Panch seats for SC/ST/Women & ST in the Panchayat Election of Kashmir Division ;

Whereas, a draft proposal notification was issued by this office vide Notification Order No. 1046-DRDK of 2018 dated 26-09-2018 for

reservation/allotment of SC/ST/Women & ST Sarpanch constituencies in the Districts of Kashmir Division ;

Whereas, draft proposed notification was published in leading Newspapers of Kashmir Division for inviting objections/suggestions and response, if any, from general public ;

Whereas, some objections/suggestions and representations were received by concerned Block Development Officers/District Panchayat Officers of Kashmir Division and the same were furnished to this Directorate by the concerned District Panchayat Officers along with their specific comments/recommendations for final decision ;

Whereas, the objections/suggestions and recommendations were examined and disposed of in light of provisions of J&K Panchayati Raj Act, 1989 and Rules.

Now, therefore, in exercise of powers conferred under sub-section (3) of section 4 of Jammu and Kashmir Panchayati Raj Act, 1989 amended up to 2018 and sub-rule (1-A) of rule 4 of Panchayati Raj Rules, 1996 amended up to September, 2018 and as per SRO-181 dated 18th June, 2004, I, Director, Rural Development, Kashmir hereby reserve and allot Sarpanch Seats for SC/ST/Women & ST in each Halqa Panchayat of District Anantnag, Bandipora, Baramulla, Budgam, Ganderbal, Kargil, Kulgam Kupwara, Leh, Pulwama, Shopain and Srinagar as per the details given in the enclosed statement forming Annexure to this notification. The said details are also available on the website of this Directorate www.drdk.nic.in.

(Sd.).....

Prescribed Authority
(Director),
Rural Development Department,
Kashmir.

SARPANCH RESERVATION FOR SC/ST/WOMEN & ST IN RESPECT OF DISTRICT ANANTNAG

District No.	District Name	Block No.	Block Name	No. & Name of Pyt. Halqa		Sarpanch Reservation for SC/ST/Women & ST (Where proportion of ST population is comparatively large)
1	2	3	4	5		6
AN-06	Anantnag	01	Ahabal	PH-01	Akingam A	Gn Women
				PH-04	B. B. Nowagam	Gn Women
				PH-07	Brenty A	Gn Women
				PH-10	Damhal	Gn Women
				PH-13	H. Tooru	Gn Women
				PH-16	Issoo	Gn Women
				PH-19	Khundoora	Gn Women
				PH-22	Shelipora	Gn Women
				PH-25	Tailwani A	Gn Women
		02	Anantnag	PH-01	Anzwalla	Gn Women
				PH-04	Bon Dialgam	Gn Women
				PH-07	Danter	Gn Women
				PH-10	Kanjigund	Gn Women

1	2	3	4	5		6
				PH-13	Mirgund	Gn Women
				PH-16	Peth Dialgam	Gn Women
				PH-19	Shoul	Gn Women
				PH-22	Uranhall A	Gn Women
		03	Bijbehara	PH-01	Adder	Gn Women
				PH-04	Dupatyar	Gn Women
				PH-07	H. P. Bagh	Gn Women
				PH-10	Jablipora B	Gn Women
				PH-13	Katoo	Gn Women
				PH-16	Loktipora Hafizabad	Gn Women
				PH-19	Marahama C	Gn Women
				PH-22	Rakhi Hassanpora	Gn Women
				PH-25	Shalgam	Gn Women
				PH-28	Waghama Bala	Gn Women
		04	Breng	PH-01	Adhall	Gn Women
				PH-03	Ahlan Bala	ST Reserved
				PH-04	Ahlan Gadole (Ratherpora) B	Gn Women
				PH-05	Ahlan Payeen	ST Reserved

		PH-06	Chree	ST Reserved
		PH-07	Devalgam	Gn Women
		PH-09	Gadole A	ST Reserved
		PH-10	Gadole C	ST Women
		PH-13	Kehripora	Gn Women
		PH-16	Magraypora	ST Women
		PH-19	Senzi B	Gn Women
		PH-22	Soaf B	Gn Women
		PH-23	Sundbrari A	ST Reserved
		PH-24	Sundbrari B	ST Reserved
		PH-25	Takiya Magam A	Gn Women
		PH-28	Wangam A2 (Soyan)	Gn Women
05	Chittergul	PH-01	Aho Paison	Gn Women
		PH-04	Brimmer	Gn Women
		PH-05	Chaklipora	ST Reserved
		PH-07	Chittergul A	Gn Women
		PH-10	Chowgam	ST Women
		PH-13	Panchalthan	Gn Women
		PH-15	Rakhi Brah	ST Reserved
06	D. Pora	PH-01	Adlash Magam	Gn Women

1	2	3	4	5	6
				PH-04 Budroo	Gn Women
				PH-07 Hattigam	Gn Women
				PH-10 Kathsoo	Gn Women
				PH-13 Khiram Gujrat	Gn Women
				PH-14 Lehendajan	ST Reserved
				PH-16 Mahind	Gn Women
				PH-19 Saller B	Gn Women
				PH-21 Sheikhpura	ST Reserved
				PH-22 Sirhama A	Gn Women
				PH-25 Srigufwara	Gn Women
				PH-28 Viddy	Gn Women
		07	Hiller	PH-01 Changoo	Gn Women
				PH-04 Dingowari	ST Women
				PH-07 Manzmoh	ST Women
				PH-10 Sadiwara B	Gn Women
		08	K. Pora	PH-01 Akura	Gn Women
				PH-04 Bun Nambal A	Gn Women
				PH-07 Fohar	Gn Women
				PH-10 Hapatnard B	Gn Women

09	Larnoo	PH-13	Herpora Nanil	Gn Women
		PH-16	Khairbugh	Gn Women
		PH-19	Nowgam A	Gn Women
		PH-22	Panzmullah	Gn Women
		PH-25	Rambirpora B	Gn Women
		PH-28	Salia B	Gn Women
		PH-31	Vail Nagbal A	ST Women
		PH-01	Arthur	Gn Women
		PH-03	Dandipora	ST Reserved
		PH-04	Dandipora A	Gn Women
		PH-07	Draway	Gn Women
		PH-08	Gadvail	ST Reserved
		PH-09	Guridraman A	ST Reserved
		PH-10	Guridraman B	Gn Women
		PH-11	Hallan	ST Reserved
		PH-13	Khreti	Gn Women
		PH-16	Mathindoo	Gn Women
		PH-18	Mati Bidhard	ST Reserved
		PH-19	Mati Gowran B	Gn Women
		PH-22	Pindobal	ST Women

1	2	3	4	5	6
		10	Pahalgam	PH-01 Ainoos Brai PH-04 Dehwatoo PH-07 Grendwon PH-10 Kuller Payeen PH-11 Lidroo PH-13 Mandlana PH-14 Owoora PH-15 Veerseran PH-16 Wahadan PH-17 Wajoora	Gn Women Gn Women Gn Women Gn Women ST Reserved Gn Women ST Reserved ST Reserved Gn Women ST Reserved
		11	Qazigund	PH-01 Drenen PH-04 Panzeth A PH-07 Sransoo	Gn Women Gn Women Gn Women
		12	Sagam	PH-01 Arhama PH-04 Hiller PH-07 Lissar Chawalgam PH-10 Narupora C PH-13 Sagam B	Gn Women Gn Women Gn Women Gn Women Gn Women

13	Shahabad	PH-01	A. K. Pora	Gn Women
		PH-04	Bragam	Gn Women
		PH-07	Hakura A	Gn Women
		PH-10	Larkipora A	Gn Women
		PH-13	Mantpora	Gn Women
		PH-16	Nowpora A	Gn Women
		PH-19	Schichen	Gn Women
14	Shangus	PH-01	Brarangan A	ST Women
		PH-02	Brariangan B	ST Reserved
		PH-04	Khulchohar	Gn Women
		PH-07	Krad B	Gn Women
		PH-10	Nowgam B	Gn Women
		PH-13	Raniepora	Gn Women
		PH-16	Sheikhpora	Gn Women
15	Verinag	PH-01	Batagund A	Gn Women
		PH-04	Chohan	Gn Women
		PH-07	Hasidar B	Gn Women
		PH-08	Hergawas	ST Reserved
		PH-09	Hingipora	ST Reserved

1	2	3	4	5		6
				PH-10	Kapran	Gn Women
				PH-13	Omoh A	Gn Women
				PH-16	Qammer B	Gn Women
		16	Vessu	PH-01	Bumthan	Gn Women
				PH-04	L. G. Pora 'A'	Gn Women
				PH-07	Malpora	Gn Women
				PH-10	Sadoora A	Gn Women

(Sd.)

Prescribed Authority,
Under Panchayati Raj Act, 1989,
Director,
Rural Development Department,
Kashmir.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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GOVERNMENT OF JAMMU AND KASHMIR,
DIRECTORATE OF RURAL DEVELOPMENT DEPARTMENT,
LAL MANDI, SRINAGAR-KASHMIR.

Notification No. 04-DRDK of 2018

Dated 06-10-2018.

Whereas, in pursuance of the provisions of sub-section (3) of section 4 of Jammu and Kashmir Panchayati Raj Act, 1989 amended up to 2018 and sub-rule (1-A) of Rule 4 of Panchayati Raj Rules, 1996 amended up to September, 2018 and as per SRO—181 dated 18th June, 2004, the Director, Rural Development, Kashmir has been appointed as prescribed authority to reserve/allotment of Sarpanch/Panch seats for SC/ST/Women & ST in the Panchayat Election of Kashmir Division ;

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(Sd.).....

Prescribed Authority
(Director),
Rural Development Department,
Kashmir.

SARPANCH RESERVATION FOR SC/ST/WOMEN & ST IN RESPECT OF DISTRICT BARAMULLA

District No.	District Name	Block No.	Block Name	No. & Name of Pyt. Halqa		Sarpanch Reservation for SC/ST/Women and ST (Where proportion of ST population is comparatively large)
1	2	3	4	5		6
BLA-02	Baramulla	01	Baramulla	PH-01	Chandoosa-A	Gn Women
				PH-04	Delina-B	Gn Women
				PH-07	Fatehpura	Gn Women
				PH-10	Hudpura	Gn Women
				PH-13	Kanispora-A	Gn Women
				PH-15	Katiyanwali	ST Reserved
				PH-16	Khadniyar	Gn Women
		02	Bijhama	PH-01	Bagna	Gn Women
				PH-04	Lachipora-A	Gn Women
				PH-07	Niloosa	Gn Women
		03	Boniyar	PH-01	Bairdian	Gn Women
				PH-04	Bela Salamabad	Gn Women
				PH-07	Maidanan	ST Women
				PH-10	Trikanjan	Gn Women

1	2	3	4	5	6	
		04	Chandil Wanigam	PH-01 PH-04	Buderkote Devpora	Gn Women Gn Women
		05	Hardaboora	PH-01 PH-04 PH-07 PH-10	Goigam Hardaboora-B Larkipora Utikoo	Gn Women Gn Women Gn Women Gn Women
		06	Kandi-Belt Rafiabad	PH-01 PH-04	Chatoosa Pakhwara	Gn Women Gn Women
		07	Khaipora	PH-01 PH-04	Chanderseer Harnow Kawcheck	Gn Women Gn Women
		08	Kunzer	PH-01 PH-04 PH-07 PH-10	Devbugh Hayatpora Mulgam Raram	Gn Women Gn Women Gn Women Gn Women
		09	Lalpora	PH-01 PH-04 PH-07	Chichilora Lalpora-B Mughama	Gn Women Gn Women Gn Women
		10	Nadihal	PH-01 PH-04	Achabal-A Binner-B	Gn Women Gn Women

		PH-07	Doabgah-B	Gn Women
		PH-10	Nadihal-B	Gn Women
		PH-13	Venkara	Gn Women
11	Narwav	PH-01	Audoora	Gn Women
		PH-04	Fatehgrah	Gn Women
		PH-07	Heewan-A	Gn Women
		PH-10	Kawhaar	Gn Women
		PH-13	Malpora	Gn Women
		PH-16	Zandfaran	Gn Women
12	Noorkhah	PH-01	Ahtishampora	Gn Women
		PH-04	Ijara	Gn Women
		PH-07	Naganari	Gn Women
		PH-10	Pringal Warikha	Gn Women
13	Parewnpillan	PH-01	Choolan	Gn Women
		PH-04	Dawaran	Gn Women
		PH-07	Gawalta	ST Women
		PH-10	Gohallan	ST Women
		PH-13	Kundibarjala	Gn Women
		PH-14	Nawarunda	ST Reserved
		PH-16	Salamabad	Gn Women
		PH-19	Sultan Daki	Gn Women

1	2	3	4	5	6
14	Pattan			PH-01 PH-04 PH-07 PH-10 PH-13 PH-16 PH-19 PH-22 PH-25 PH-28 PH-31 PH-34 PH-37	Buchoo Dangerpora Goshbugh-A Indergam Nehalpora-B Palhallan-A Palhallan-D Palhallan-G Sariwarpora-B Sultanpora-C Tapper Waripora Wanigam Bala Wussan-A Gn Women Gn Women Gn Women Gn Women Gn Women Gn Women Gn Women Gn Women Gn Women Gn Women Gn Women Gn Women
		15	Rafiabad	PH-01 PH-04 PH-07 PH-10 PH-13	Bakhipora Chanum Dangiwacha Hib-Dangerpora Saripara Gn Women Gn Women Gn Women Gn Women Gn Women
		16	Rohama	PH-01 PH-04	Balhama Chijhama Gn Women Gn Women

		PH-07	Hadipora-B	Gn Women
		PH-10	Ladu Ladoora	Gn Women
		PH-13	Patoosa	Gn Women
		PH-16	Rohama-A	Gn Women
		PH-19	Shutloo	Gn Women
17	Sangrama	PH-01	Aamargarh	Gn Women
		PH-04	Gurseer	Gn Women
		PH-07	Krankshivan	Gn Women
		PH-10	Panzipora	Gn Women
		PH-13	Renji	Gn Women
18	Sherabad Khore	PH-01	Agriklan	Gn Women
		PH-04	Dangerpora	Gn Women
		PH-07	Hanjiwera Bala	Gn Women
		PH-10	Malmooh	Gn Women
19	Singhpura	PH-01	Bonichakal-A	Gn Women
		PH-04	Chanabal-B	Gn Women
		PH-07	Gund Ibrahim	Gn Women
		PH-10	Hangiwara-A	Gn Women
		PH-13	K. P. Payeen-A	Gn Women
		PH-16	Khanpeth	Gn Women
		PH-19	Mirchimar	Gn Women
		PH-22	Om Buran	Gn Women

1	2	3	4	5	6
		20	Sopore	PH-01 PH-04 PH-07 PH-10	Adipora Nowpora-A Seelu Tarzoo-B Gn Women Gn Women Gn Women Gn Women
		21	Tangmarg	PH-01 PH-04 PH-07 PH-10 PH-13 PH-16	Baba Reshi Chatipathri Drung Ferozpora-B Hariwatnoo Mulbangil Qazipora-A Gn Women Gn Women Gn Women Gn Women Gn Women Gn Women
		22	Tujjar Sharief	PH-01 PH-04 PH-07 PH-10 PH-13	Bomai Goripora Nathipora Tujar-A Yemberzalwari Gn Women Gn Women Gn Women Gn Women Gn Women
		23	Uri	PH-01 PH-02 PH-04	Balkote Churunda Garkoot-B Gn Women ST Reserved ST Women

		PH-07	Mohara	Gn Women
		PH-10	Nambla-C	ST Women
24	Wagoora	PH-01	Authoora	Gn Women
		PH-02	Bandi Bala	ST Reserved
		PH-04	Bandi Payeen-B	Gn Women
		PH-07	Dawlatpora	Gn Women
		PH-10	Hail Jagir	Gn Women
		PH-13	Kakovthal-A	Gn Women
		PH-16	Kreeri-A	Gn Women
		PH-19	Naji Bhat	Gn Women
		PH-22	Saloosa	Gn Women
		PH-25	Shrakwara	Gn Women
		PH-28	Wagoora-A	Gn Women
		PH-31	Waripora Bala	Gn Women
25	Wailoo	PH-01	Babakhaipora	Gn Women
		PH-04	Hrdushoora	Gn Women
		PH-07	Turkbatpora	Gn Women
26	Zaingeer	PH-01	Botingoo-A	Gn Women
		PH-04	Dangerpora-A	Gn Women
		PH-07	Duroo-A	Gn Women

1	2	3	4	5	6	
				PH-10	Hathlangoo	Gn Women
				PH-13	Mundji	Gn Women
				PH-16	Rashidabad Machipora	Gn Women
				PH-19	Shiva-B	Gn Women
						(Sd.).....
						Prescribed Authority, Under Panchayati Raj Act, 1989, Director, Rural Development Department, Kashmir.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol.131] Srinagar, Sat., the 6th Oct., 2018/14th Asv., 1940. [No.27-7

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
DIRECTORATE OF RURAL DEVELOPMENT DEPARTMENT,
LAL MANDI, SRINAGAR-KASHMIR.

Notification No. 04-DRDK of 2018

Dated 06-10-2018.

Whereas, in pursuance of the provisions of sub-section (3) of section 4 of Jammu and Kashmir Panchayati Raj Act, 1989 amended up to 2018 and sub-rule (1-A) of Rule 4 of Panchayati Raj Rules, 1996 amended up to September, 2018 and as per SRO—181 dated 18th June, 2004, the Director, Rural Development, Kashmir has been appointed as prescribed authority to reserve/allotment of Sarpanch/Panch seats for SC/ST/Women & ST in the Panchayat Election of Kashmir Division ;

Whereas, a draft proposal notification was issued by this office vide Notification Order No. 1046-DRDK of 2018 dated 26-09-2018 for

reservation/allotment of SC/ST/Women & ST Sarpanch constituencies in the Districts of Kashmir Division ;

Whereas, draft proposed notification was published in leading Newspapers of Kashmir Division for inviting objections/suggestions and response, if any, from general public ;

Whereas, some objections/suggestions and representations were received by concerned Block Development Officers/District Panchayat Officers of Kashmir Division and the same were furnished to this Directorate by the concerned District Panchayat Officers along with their specific comments/recommendations for final decision ;

Whereas, the objections/suggestions and recommendations were examined and disposed of in light of provisions of J&K Panchayati Raj Act, 1989 and Rules.

Now, therefore, in exercise of powers conferred under sub-section (3) of section 4 of Jammu and Kashmir Panchayati Raj Act, 1989 amended up to 2018 and sub-rule (1-A) of rule 4 of Panchayati Raj Rules, 1996 amended up to September, 2018 and as per SRO-181 dated 18th June, 2004, I, Director, Rural Development, Kashmir hereby reserve and allot Sarpanch Seats for SC/ST/Women & ST in each Halqa Panchayat of District Anantnag, Bandipora, Baramulla, Budgam, Ganderbal, Kargil, Kulgam Kupwara, Leh, Pulwama, Shopian and Srinagar as per the details given in the enclosed statement forming Annexure to this notification. The said details are also available on the website of this Directorate www.drdrk.nic.in.

(Sd.).....

Prescribed Authority
(Director),
Rural Development Department,
Kashmir.

SARPANCH RESERVATION FOR SC/ST/WOMEN & ST IN RESPECT OF DISTRICT GANDERBAL

District No.	District Name	Block No.	Block Name	No. & Name of Pyt. Halqa		Sarpanch Reservation for SC/ST/Women and ST (Where proportion of ST population is comparatively large)
1	2	3	4	5		6
GBL-16	Ganderbal	01	Ganderbal	PH-01	Arch	Gn Women
				PH-04	Bakoora	Gn Women
				PH-07	Darend	Gn Women
				PH-10	Khalmulla	Gn Women
				PH-13	Nagbal	Gn Women
				PH-16	Serch	Gn Women
				PH-19	Tulmulla-A	Gn Women
				PH-22	Tulmulla-D	Gn Women
				PH-25	Warpoh	Gn Women
		02	Gund	PH-01	Fraw Haknar-A	Gn Women
				PH-02	Fraw Haknar-B	ST Reserved
				PH-03	Ganiwan-A	ST Reserved
				PH-04	Ganiwan-B	ST Women
				PH-07	Kullan-A	Gn Women
				PH-08	Kullan-B	ST Reserved

1	2	3	4	5	6	
				PH-10	Sonamarg-A	Gn Women
				PH-13	Sumbal	ST Women
				PH-14	Surfraw-A	ST Reserved
				PH-15	Surfraw-B	ST Reserved
		03	Kangan	PH-01	Akhal-A	Gn Women
				PH-04	Barwulla	Gn Women
				PH-06	Chattergul-A	ST Reserved
				PH-07	Chattergul-B	Gn Women
				PH-10	Cheerwan-B	Gn Women
				PH-13	Kachnambal-B	ST Women
				PH-16	Khanan	Gn Women
				PH-19	Mammer-B	ST Women
				PH-20	Margund	ST Reserved
				PH-21	Poshker	ST Reserved
				PH-22	Preng-A	Gn Women
				PH-24	Thune-A	ST Reserved
				PH-25	Thune-B	Gn Women
				PH-26	Thune-C	ST Reserved
				PH-27	Wangath-A	ST Reserved
				PH-28	Wangath-B	ST Women
				PH-29	Wangath-C	ST Reserved
				PH-31	Wussan-B	Gn Women
				PH-32	Yachama	ST Reserved

04	Lar	PH-01	Anderwan-A	ST Women
		PH-04	Arhama-B	Gn Women
		PH-07	Bonizil	Gn Women
		PH-08	Chuntwaliwar-A	ST Reserved
		PH-10	Chuntwaliwar-C	Gn Women
		PH-13	Lar-A	Gn Women
		PH-16	Manigam-B	Gn Women
		PH-19	Repora-B	Gn Women
		PH-22	Watalbagh	Gn Women
05	Safapora	PH-01	Pehlipora-A	Gn Women
		PH-04	Safapora-B	Gn Women
06	Sherpathri	PH-01	Gogjigund	Gn Women
		PH-04	Kurag	Gn Women
		PH-07	Shallabugh-A	Gn Women
07	Wakura	PH-01	Barsoo	Gn Women
		PH-04	Dab	Gn Women
		PH-07	Kurhama-B	Gn Women
		PH-10	Waskoora-A	Gn Women

(Sd.).....

Prescribed Authority,
Under Panchayati Raj Act, 1989,
Director,
Rural Development Department,
Kashmir.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Sat., the 6th Oct., 2018/14th Asv., 1940. [No. 27-14

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PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
DIRECTORATE OF RURAL DEVELOPMENT DEPARTMENT,
LAL MANDI, SRINAGAR-KASHMIR.

Notification No. 04-DRDK of 2018

Dated 06-10-2018.

Whereas, in pursuance of the provisions of sub-section (3) of section 4 of Jammu and Kashmir Panchayati Raj Act, 1989 amended up to 2018 and sub-rule (1-A) of Rule 4 of Panchayati Raj Rules, 1996 amended up to September, 2018 and as per SRO—181 dated 18th June, 2004, the Director, Rural Development, Kashmir has been appointed as prescribed authority to reserve/allotment of Sarpanch/Panch seats for SC/ST/Women & ST in the Panchayat Election of Kashmir Division ;

Whereas, a draft proposal notification was issued by this office vide Notification Order No. 1046-DRDK of 2018 dated 26-09-2018 for

reservation/allotment of SC/ST/Women & ST Sarpanch constituencies in the Districts of Kashmir Division ;

Whereas, draft proposed notification was published in leading Newspapers of Kashmir Division for inviting objections/suggestions and response, if any, from general public ;

Whereas, some objections/suggestions and representations were received by concerned Block Development Officers/District Panchayat Officers of Kashmir Division and the same were furnished to this Directorate by the concerned District Panchayat Officers along with their specific comments/recommendations for final decision ;

Whereas, the objections/suggestions and recommendations were examined and disposed of in light of provisions of J&K Panchayati Raj Act, 1989 and Rules.

Now, therefore, in exercise of powers conferred under sub-section (3) of section 4 of Jammu and Kashmir Panchayati Raj Act, 1989 amended up to 2018 and sub-rule (1-A) of rule 4 of Panchayati Raj Rules, 1996 amended up to September, 2018 and as per SRO-181 dated 18th June, 2004, I, Director, Rural Development, Kashmir hereby reserve and allot Sarpanch Seats for SC/ST/Women & ST in each Halqa Panchayat of District Anantnag, Bandipora, Baramulla, Budgam, Ganderbal, Kargil, Kulgam Kupwara, Leh, Pulwama, Shopian and Srinagar as per the details given in the enclosed statement forming Annexure to this notification. The said details are also available on the website of this Directorate www.drdrk.nic.in.

(Sd.).....

Prescribed Authority
(Director),
Rural Development Department,
Kashmir.

SARPANCH RESERVATION FOR SC/ST/WOMEN & ST IN RESPECT OF DISTRICT SRINAGAR

District No.	District Name	Block No.	Block Name	No. & Name of Pyt. Halqa		Sarpanch Reservation for SC/ST/Women and ST (Where proporation of ST population is comparatively large)
SR-03	Srinagar	01	Harwan	PH-01	Dara A	Gn Women
				PH-03	Faqir Gujri A	ST Reserved
				PH-04	Faqir Gujri B	ST Women
				PH-07	Syed Pora	Gn Women
		01	Khanmoh	PH-01	Balhama A	Gn Women
				PH-04	Khanmoh B	Gn Women
		03	Qamarwari	PH-01	Panzinara A	Gn Women
		04	Srinagar	PH-01	Lasjan A	Gn Women
				PH-04	Nowgam B	Gn Women

(Sd.).....

Prescribed Authority,
Under Panchayati Raj Act, 1989,
Director,
Rural Development Department,
Kashmir.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol.131] Srinagar, Sat., the 6th Oct., 2018/14th Asv., 1940. [No.27-4

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PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
DIRECTORATE OF RURAL DEVELOPMENT DEPARTMENT,
LAL MANDI, SRINAGAR-KASHMIR.

Notification No. 04-DRDK of 2018

Dated 06-10-2018.

Whereas, in pursuance of the provisions of sub-section (3) of section 4 of Jammu and Kashmir Panchayati Raj Act, 1989 amended up to 2018 and sub-rule (1-A) of Rule 4 of Panchayati Raj Rules, 1996 amended up to September, 2018 and as per SRO—181 dated 18th June, 2004, the Director, Rural Development, Kashmir has been appointed as prescribed authority to reserve/allotment of Sarpanch/Panch seats for SC/ST/Women & ST in the Panchayat Election of Kashmir Division ;

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Whereas, draft proposed notification was published in leading Newspapers of Kashmir Division for inviting objections/suggestions and response, if any, from general public ;

Whereas, some objections/suggestions and representations were received by concerned Block Development Officers/District Panchayat Officers of Kashmir Division and the same were furnished to this Directorate by the concerned District Panchayat Officers along with their specific comments/recommendations for final decision ;

Whereas, the objections/suggestions and recommendations were examined and disposed of in light of provisions of J&K Panchayati Raj Act, 1989 and Rules.

Now, therefore, in exercise of powers conferred under sub-section (3) of section 4 of Jammu and Kashmir Panchayati Raj Act, 1989 amended up to 2018 and sub-rule (1-A) of rule 4 of Panchayati Raj Rules, 1996 amended up to September, 2018 and as per SRO-181 dated 18th June, 2004, I, Director, Rural Development, Kashmir hereby reserve and allot Sarpanch Seats for SC/ST/Women & ST in each Halqa Panchayat of District Anantnag, Bandipora, Baramulla, Budgam, Ganderbal, Kargil, Kulgam Kupwara, Leh, Pulwama, Shopian and Srinagar as per the details given in the enclosed statement forming Annexure to this notification. The said details are also available on the website of this Directorate www.drdrk.nic.in.

(Sd.).....

Prescribed Authority
(Director),
Rural Development Department,
Kashmir.

SARPANCH RESERVATION FOR SC/ST/WOMEN & ST IN RESPECT OF DISTRICT BANDIPORA

District No.	District Name	Block No.	Block Name	No. & Name of Pyt. Halqa		Sarpanch Reservation for SC/ST/Women and ST (Where proportion of ST population is comparatively large)
1	2	3	4	5		6
Ban-15	Bandipora	01	Aloosa	PH-01	Aloosa-A	Gn Women
				PH-04	Ashatngoo	Gn Women
				PH-06	Benlipora-A	ST Reserved
				PH-07	Benlipora-B	ST Women
				PH-10	Kema	Gn Women
				PH-13	Malangam-B	ST Women
				PH-14	Malangam-C	ST Reserved
				PH-16	MuqamGn Women	
				PH-17	Muqam-A	ST Reserved
				PH-19	Quil-A	Gn Women
		02	Arin	PH-01	Arin-A	Gn Women
				PH-04	C. A. Khan	ST Women
				PH-07	Gundi-Qaisar	Gn Women
				PH-10	KudaraST Women	
				PH-13	Sumlar-A	Gn Women
				PH-14	Sumlar-B	ST Reserved

1	2	3	4	5	6	
		03	Baktoor	PH-01	Gulshanpora Bagtoor	ST Women
				PH-02	Kanzalwan	ST Reserved
		04	Bandipora	PH-01	Aragam	Gn Women
				PH-02	Aragam-Gojerpati	ST Reserved
				PH-04	Brar	Gn Women
				PH-06	Chatibanday-B	ST Reserved
				PH-07	Chatibanday-C	ST Women
				PH-10	Garoor-B	Gn Women
				PH-13	Lowdara	Gn Women
				PH-16	Nadihal-C	Gn Women
				PH-19	Panzigam	Gn Women
				PH-22	Putushaie	Gn Women
				PH-25	Watapora-B	Gn Women
		05	Bonakoot	PH-01	Ahmshareef	Gn Women
				PH-02	Athwato	ST Reserved
				PH-03	Badbhootu	ST Reserved
				PH-04	Bonkoot-A	Gn Women
				PH-07	Bonkoot-D	ST Women
				PH-10	Kralpora	Gn Women
				PH-12	Pannar	ST Reserved
				PH-13	Sonerwani-A	Gn Women

06	Ganstan	PH-01	Dangerpora	Gn Women
		PH-04	Gund Khalail	Gn Women
07	GurezPH-01		Dawar-A	ST Women
		PH-02	Dawar-B	ST Reserved
		PH-03	Khandayal	ST Reserved
		PH-04	Markoot	ST Women
		PH-05	Shahpora Bala	ST Reserved
		PH-06	Shahpora Payeen	ST Reserved
		PH-07	Wanpora	ST Women
		PH-08	Badwan	ST Reserved
08	Hajin	PH-01	Ajas-A	Gn Women
		PH-04	Ajas-D	Gn Women
		PH-05	Ajas-E	ST Reserved
		PH-07	Baharabad-B	Gn Women
		PH-10	Gundi Preng	Gn Women
		PH-13	Madwan-A	Gn Women
		PH-16	S. K. Bala-A	Gn Women
		PH-19	Sadonara-A	Gn Women
09	Naidkhai	PH-01	Gundiboon	Gn Women
		PH-04	Markundal	Gn Women
		PH-07	Naidkhai-C	Gn Women
		PH-10	Shahgund-A	Gn Women

1	2	3	4	5	6
		10	Nowgam	PH-01 PH-04	Gadakhud Nowgam-B Gn Women Gn Women
		11	SumbalPH-01	Asham-A PH-04 PH-07	Gn Women Naninara Shadipora Gn Women Gn Women
		12	TulailPH-01	PH-02 PH-03 PH-04 PH-05 PH-06 PH-07 PH-08 PH-09 PH-10	Buduaab Budugam Buglinder-A Buglinder-B GujranST Reserved Jurnayal-A Jurnayal-B NeeruST Reserved Zadigay-A Zadigay-B ST Women ST Reserved ST Reserved ST Reserved ST Reserved ST Reserved

(Sd.).....

Prescribed Authority,
Under Panchayati Raj Act, 1989,
Director,
Rural Development Department,
Kashmir.



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Wed., the 26th Sept., 2018/4th Asv., 1940. [No. 25-6

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Legislation Section)

Srinagar, the 26th September, 2018.

The following Act has been assented to by the Governor on
26th September, 2018 and is hereby published for general information :—

**THE JAMMU AND KASHMIR COMMERCIAL COURTS
ACT, 2018.**

(Governor Act No. XIII of 2018)

[26th September, 2018.]

Enacted by the Governor in the Sixty-ninth Year of the Republic of
India.

An Act to provide for the constitution of Commercial Courts for adjudicating commercial disputes of specified value and matters connected therewith or incidental thereto.

In exercise of the powers vested under Proclamation No. P-1/18 of 2018 dated 20th June, 2018, the Governor is pleased to enact as follows :—

CHAPTER I

Preliminary

1. *Short title, extent and commencement.*—(1) This Act may be called the Jammu and Kashmir Commercial Courts Act, 2018.

(2) It shall come into force from the date of its publication in the Government Gazette.

2. *Definitions.*—(1) In this Act, unless the context otherwise requires,—

- (a) **“Commercial Appellate Courts”** means the Commercial Appellate Courts designated under section 4 ;
- (b) **“Commercial Court”** means the Commercial Court constituted under sub-section (1) of section 3 ;
- (c) **“Commercial dispute”** means a dispute arising out of—
 - (i) ordinary transactions of merchants, bankers, financiers and traders such as those relating to mercantile documents, including enforcement and interpretation of such documents ;
 - (ii) export or import of merchandise or services ;
 - (iii) issues relating to admiralty and maritime law ;
 - (iv) transactions relating to aircraft, aircraft engines, aircraft equipment and helicopters, including sales, leasing and financing of the same ;
 - (v) carriage of goods ;

- (vi) construction and infrastructure contracts, including tenders ;
- (vii) agreements relating to immovable property used exclusively in trade or commerce ;
- (viii) franchising agreements ;
- (ix) distribution and licensing agreements ;
- (x) management and consultancy agreements ;
- (xi) joint venture agreements ;
- (xii) shareholders agreements ;
- (xiii) subscription and investment agreements pertaining to the services industry including outsourcing services and financial services ;
- (xiv) mercantile agency and mercantile usage ;
- (xv) partnership agreements ;
- (xvi) technology development agreements ;
- (xvii) intellectual property rights relating to registered and unregistered trademarks, copyright, patent, design, domain names, geographical indications and semiconductor integrated circuits ;
- (xviii) agreements for sale of goods or provision of services ;
- (xix) exploitation of oil and gas reserves or other natural resources including electromagnetic spectrum ;
- (xx) insurance and re-insurance ;
- (xxi) contracts of agency relating to any of the above ; and
- (xxii) such other commercial disputes as may be notified by the Central Government.

Explanation :— A commercial dispute shall not cease to be a commercial dispute merely because—

- (a) it also involves action for recovery of immovable property or for realization of monies out of immovable

property given as security or involves any other relief pertaining to immovable property ;

- (b) one of the contracting parties is the State or any of its agencies or instrumentalities, or a private body carrying out public functions ;
- (d) **“District Judge”** shall have the same meaning as assigned to it in clause (a) of section 109 of the Constitution of the Jammu and Kashmir ;
- (e) **“document”** means any matter expressed or described upon any substance by means of letters, figures or marks, or electronic means, or by more than one of those means, intended to be used, or which may be used, for the purpose of recording that matter ;
- (f) **“Government”** means the Government of Jammu and Kashmir ;
- (g) **“High Court”** means the High Court of Jammu and Kashmir ;
- (h) **“Notification”** means a notification published in the Government Gazette and the expression notify with its cognate meanings and grammatical variations shall be construed accordingly ;
- (i) **“Schedule”** means the Schedule appended to the Act ;
- (j) **“Specified Value”**, in relation to a commercial dispute, shall mean the value of the subject matter in respect of a suit as determined in accordance with section 8 which shall not be less than one crore rupees or such higher value, as may be notified by the Central Government ; and
- (k) **“State”** means the State of Jammu and Kashmir.

(2) The words and expressions used and not defined in this Act but defined in the Code of Civil Procedure, Samvat 1977 and the Jammu and Kashmir Evidence Act, Samvat 1977 shall have the same meanings respectively assigned to them in that Code and the Act.

CHAPTER II

Constitution of Commercial Courts and Commercial Appellate Courts

3. *Constitution of Commercial Courts.*—(1) The Government, may after consultation with the High Court, by notification, constitute or designate such number of Commercial Courts at District or Divisional level, as it may deem necessary for the purpose of exercising the jurisdiction and powers conferred on those Courts under this Act.

(2) Notwithstanding anything contained in this Act, the Government may, after consultation with the High Court, by notification, specify such pecuniary value of the jurisdiction of a Commercial Court, which shall not be less than three lakh rupees or such higher value, for whole or part of the State, as it may consider necessary.

(3) The Government shall, after consultation, with the High Court specify, by notification, the local limits of the area to which the jurisdiction of a Commercial Court shall extend and may, from time to time, increase, reduce or alter such limits.

(4) The Government may, with the concurrence of the Chief Justice of the High Court appoint one or more persons having experience in dealing with commercial disputes to be the Judge or Judges, of a Commercial Court either at the level of District Judge or a court below the level of a District Judge.

4. *Designation of Commercial Appellate Courts.*—The Government may, after consultation with the High Court, by notification, designate such number of Commercial Appellate Courts at District Judge level, as it may deem necessary, for the purposes of exercising the jurisdiction and powers conferred on those Courts under this Act.

5. *Jurisdiction of Commercial Court.*—The Commercial Court shall have jurisdiction to try all suits and applications relating to a commercial dispute of a Specified Value arising out of the territory over which it has been vested territorial jurisdiction.

Explanation :—For the purposes of this section, a commercial dispute shall be considered to arise out of the territory over which a Commercial Court has been vested jurisdiction, if the suit or

application relating to such commercial dispute has been instituted as per the provisions of sections 16 to 20 of the Code of Civil Procedure, Samvat 1977.

6. *Bar against revision application or petition against an interlocutory order.*—Notwithstanding anything contained in any other law for the time being in force, no civil revision application or petition shall be entertained against any interlocutory order of a Commercial Court, including an order on the issue of jurisdiction, and any such challenge, subject to the provisions of section 10, shall be raised only in an appeal against the decree of the Commercial Court.

7. *Bar of jurisdiction of Commercial Courts.*—Notwithstanding anything contained in this Act, a Commercial Court shall not entertain or decide any suit, application or proceedings relating to any commercial dispute in respect of which the jurisdiction of the civil court is either expressly or impliedly barred under any other law for the time being in force.

CHAPTER III

Specified Value

8. *Determination of Specified Value.*—(1) The Specified Value of the subject-matter of the commercial dispute in a suit, appeal or application shall be determined in the following manner :—

- (a) where the relief sought in a suit or application is for recovery of money, the money sought to be recovered in the suit or application inclusive of interest, if any, computed up to the date of filing of the suit or application, as the case may be, shall be taken into account for determining such Specified Value ;
- (b) where the relief sought in a suit, appeal or application relates to movable property or to a right therein, the market value of the movable property as on the date of filing of the suit, appeal or application, as the case may be, shall be taken into account for determining such Specified Value ;
- (c) where the relief sought in a suit, appeal or application relates to immovable property or to a right therein, the market value of the immovable property, as on the date of filing of the suit, appeal or

application, as the case may be, shall be taken into account for determining Specified Value ;

- (d) where the relief sought in a suit, appeal or application relates to any other intangible right, the market value of the said rights as estimated by the plaintiff shall be taken into account for determining Specified Value.

(2) The aggregate value of the claim and counterclaim, if any as set out in the statement of claim and the counterclaim, if any, in an arbitration of a commercial dispute shall be the basis for determining whether such arbitration is subject to the jurisdiction of a Commercial Court, as the case may be.

(3) No appeal or civil revision application under section 115 of the Code of Civil Procedure, Samvat 1977 as the case may be, shall lie from an order of a Commercial Court finding that it has jurisdiction to hear a commercial dispute under this Act.

CHAPTER IV

Pre-institution Mediation and Settlement

9. *Pre-Institution Mediation and Settlement.*—(1) A suit, which does not contemplate any urgent interim relief under this Act, shall not be instituted unless the plaintiff exhausts the remedy of pre-institution mediation in accordance with such manner and procedure as may be prescribed by rules made by the High Court.

(2) The High Court may, by notification, authorize the Authorities constituted under section 89 of the Code of Civil Procedure, Samvat 1977 or under the Jammu and Kashmir Legal Services Authorities Act, 1997, or any other institution, for the purposes of pre-institution mediation.

(3) Notwithstanding anything contained in the Code of Civil Procedure, Samvat 1977 or the Jammu and Kashmir Legal Services Authorities Act, 1997, the mediation institution under sub-section (2) shall complete the process of mediation within a period of three months from the date of application made by the plaintiff under sub-section (1) :

Provided that the period of mediation may be extended for a further period of two months with the consent of the parties :

Provided further that, the period during which the parties remained occupied with the pre-institution mediation, such period shall

not be computed for the purpose of limitation under the Limitation Act, Samvat 1995.

(4) If the parties to the commercial dispute arrive at a settlement, the same shall be reduced into writing and shall be signed by the parties to the dispute and the mediator.

(5) The settlement arrived at under this section shall have the same status and effect as if it is an arbitral award on agreed terms under sub-section (4) of the section 30 of the Jammu and Kashmir Arbitration and Conciliation Act, 1997.

(6) The plaintiff shall have liberty to institute his suit, if he has made all reasonable efforts to invoke mediation in accordance with the provisions of this section and the defendant either fails to appear for mediation or does not give his consent for mediation.

CHAPTER V

Appeals

10. *Appeals from decrees of Commercial Courts.*—(1) Any person aggrieved by the judgment or order of a Commercial Court below the level of a District Judge may appeal to the Commercial Appellate Court within a period of sixty days from the date of judgment or order.

(2) Any person aggrieved by the Judgment or order of a Commercial Court at the level of District Judge exercising original civil jurisdiction may appeal to the High Court within a period of sixty days from the date of the judgment or order :

Provided that an appeal shall lie from such orders passed by a Commercial Court that are specifically enumerated under Order XLIII of the Code of Civil Procedure, Samvat 1977 as amended by this Act and section 37 of the Jammu and Kashmir Arbitration and Conciliation Act, 1997.

(3) Notwithstanding anything contained in any other law for the time being in force or Letters Patent of High Court, no appeal shall lie from any order or decree of a Commercial Court otherwise than in accordance with the provisions of this Act.

11. *Expeditious disposal of appeals.*—The Commercial Appellate Court shall endeavor to dispose of appeals filed before it within a period of six months from the date of filing of such appeal.

CHAPTER VI

Transfer of Pending Suits

12. *Transfer of pending cases.*—(1) All suits and applications, including applications under the Jammu and Kashmir Arbitration and Conciliation Act, 1997, relating to a commercial dispute of a Specified Value pending in any civil court in any district or area in respect of which a Commercial Court has been constituted, shall be transferred to such Commercial Court :

Provided that no suit or application where the final judgment has been reserved by the Court prior to the constitution of the Commercial Court shall be transferred.

(2) Where any suit or application, including an application under the Jammu and Kashmir Arbitration and Conciliation Act, 1997, relating to a commercial dispute of Specified Value shall stand transferred to the Commercial Court the provisions of this Act shall apply to those procedures that were not complete at the time of transfer.

(3) The Commercial Court, may hold case management hearings in respect of such transferred suit or application in order to prescribe new timelines or issue such further directions as may be necessary for a speedy and efficacious disposal of such suit or application in accordance with Order XIV-A of the Code of Civil Procedure, Samvat 1977 :

Provided that the proviso to sub-rule (1) of Rule 1 of Order V of the Code of Civil Procedure, Samvat 1977 shall not apply to such transferred suit or application and the court may, in its discretion, prescribe a new time period within which the written statement shall be filed.

CHAPTER VII

Amendments to the Provisions of the Jammu and Kashmir Code of Civil Procedure, Samvat 1977

13. *Amendments to the Code of Civil Procedure, Samvat 1977 in its application to commercial disputes.*—(1) The provisions of the Code of Civil Procedure, Samvat 1977 shall, in their application to any suit in respect of a commercial dispute of a Specified Value, stand amended in the manner as specified in the Schedule.

(2) The Commercial Court shall follow the provisions of the Code of Civil Procedure, Samvat 1977, as amended by this Act, in the trial of a suit in respect of a commercial dispute of a Specified Value.

(3) Where any provision or any rule of the jurisdictional High Court or any amendment to the Code of Civil Procedure, Samvat 1977 by the State Government is in conflict with the provisions of the Code of Civil Procedure, Samvat 1977, as amended by this Act, the provisions of the Code of Civil Procedure as amended by this Act shall prevail.

CHAPTER VIII

Miscellaneous

14. *Collection and disclosure of data by Commercial Courts and Commercial Appellate Courts.*—The statistical data regarding the number of suits, applications and appeals filed before the Commercial Courts and Commercial Appellate Courts, as the case may be, the pendency of such cases, the status of each case, and the number of cases disposed of, shall be maintained and updated every month by each Commercial Courts and Commercial Appellate Courts and shall be published on the website of the High Court.

15. *Power of High Court to issue directions.*—The High Court may, by notification, issue practice directions to supplement the provisions of Chapter II of this Act or the Code of Civil Procedure, Samvat 1977 insofar as such provisions apply to the hearing of commercial disputes of a Specified Value.

16. *Infrastructure facilities.*—The Government shall provide necessary infrastructure to facilitate the working of a Commercial Courts.

17. *Training and continuous education.*—The Government may, in consultation with the High Court, establish necessary facilities providing for training of Judges who may be appointed to the Commercial Courts and Commercial Appellate Courts.

18. *Act to have overriding effect.*—Save as otherwise provided, the provisions of this Act shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law for the time being in force other than this Act.

19. *Power to make rules.*—(1) The Government in consultation with the High Court may by notification make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for or any of the following matters, namely :—

- (a) the manner and procedure of pre-institution mediation under sub-section (1) of section 12.
- (b) any other matter which is required to be, or may be, prescribed or in respect of which provision is to be made by rules made by the High Court.

20. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Government Gazette, make such provisions, not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty :

Provided that no such order shall be made under this section after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be, after it is made, before each House of Parliament.

SCHEDULE

(See section 13)

1. Amendment of section 26.—In section 26 of the Code of Civil Procedure, Samvat 1977 (hereafter referred to as the Code), in sub-section (2), the following proviso shall be inserted, namely :—

“Provided that such an affidavit shall be in the form and manner as prescribed under Rule 15A of Order VI”.

2. Substitution of new section for section 35.—For section 35 of the Code, the following section shall be substituted, namely :—

35. Costs.—(1) In relation to any commercial dispute, the Court, notwithstanding anything contained in any other law for the time being in force or rule, has the discretion to determine :

- (a) whether costs are payable by one party to another ;
- (b) the quantum of those costs ; and
- (c) when they are to be paid.

Explanation :—For the purpose of clause (a), the expression “costs” shall mean reasonable costs relating to—

- (i) the fees and expenses of the witnesses incurred ;
- (ii) legal fees and expenses incurred ;
- (iii) any other expenses incurred in connection with the proceedings.

(2) If the Court decides to make an order for payment of costs, the general rule is that the unsuccessful party shall be ordered to pay the costs of the successful party :

Provided that the Court may make an order deviating from the general rule for reasons to be recorded in writing.

Illustration

The Plaintiff, in his suit, seeks a money decree for breach of contract, and damages. The Court holds that the Plaintiff is entitled to the

money decree. However, it returns a finding that the claim for damages is frivolous and vexatious.

In such circumstances the Court may impose costs on the Plaintiff, despite the Plaintiff being the successful party, for having raised frivolous claims for damages.

(3) In making an order for the payment of costs, the Court shall have regard to the following circumstances, including :—

- (a) the conduct of the parties ;
- (b) whether a party has succeeded on part of its case, even if that party has not been wholly successful ;
- (c) whether the party had made a frivolous counterclaim leading to delay in the disposal of the case ;
- (d) whether any reasonable offer to settle is made by a party and unreasonably refused by the other party ; and
- (e) whether the party had made a frivolous claim and instituted a vexatious proceeding wasting the time of the Court.

(4) The orders which the Court may make under this provision include an order that a party must pay—

- (a) a proportion of another party's costs ;
- (b) a stated amount in respect of another party's costs ;
- (c) costs from or until a certain date ;
- (d) costs incurred before proceedings have begun ;
- (e) costs relating to particular steps taken in the proceedings ;
- (f) costs relating to a distinct part of the proceedings ; and
- (g) interest on costs from or until a certain date.

3. Amendment of section 35A.—In section 35A of the Code, sub-section (2) shall be omitted.

4. Amendment of First Schedule.—In the First Schedule to the Code,—

- (A) in the Order V, in Rule 1, in sub-rule (1), for the second proviso, the following proviso shall be substituted, namely :—

“Provided further that where the defendant fails to file the written statement within the said period of thirty days, he shall be allowed to file the written statement on such other day, as may be specified by the Court, for reasons to be recorded in writing and on payment of such costs as the Court deems fit, but which shall not be later than one hundred twenty days from the date of service of summons and on expiry of one hundred twenty days from the date of service of summons, the defendant shall forfeit the right to file the written statement and the Court shall not allow the written statement to be taken on record.” ;

- (B) in Order VI,—

- (i) after Rule 3, the following Rule shall be inserted, namely :—

“3A. Forms of pleading in Commercial Courts.—

In a commercial dispute, where forms of pleadings have been prescribed under the High Court Rules or Practice Directions made for the purposes of such commercial disputes, pleadings shall be in such forms.” ;

- (ii) after Rule 15, the following Rule shall be inserted, namely :—

“15A. Verification of pleadings in a commercial dispute.—(1) Notwithstanding anything contained in Rule 15, every pleading in a commercial dispute shall be verified by an affidavit in the manner and form prescribed in the Appendix to this Schedule.

(2) An affidavit under sub-rule (1) above shall be signed by the party or by one of the parties to the proceedings, or by any other person on behalf of such party or parties who is proved to the satisfaction of the Court to be

acquainted with the facts of the case and who is duly authorized by such party or parties.

(3) Where a pleading is amended, the amendments must be verified in the form and manner referred to in sub-rule (1) unless the Court orders otherwise.

(4) Where a pleading is not verified in the manner provided under sub-rule (1), the party shall not be permitted to rely on such pleading as evidence or any of the matters set out therein.

(5) The Court may strike out a pleading which is not verified by a Statement of Truth, namely, the affidavit set out in the Appendix to this Schedule.” ;

(C) in Order VII, after Rule 2, the following Rule shall be inserted, namely :—

“2A. Where interest is sought in the suit.—(1) Where the plaintiff seeks interest, the plaint shall contain a statement to that effect along with the details set out under sub-rules (2) and (3).

(2) Where the plaintiff seeks interest, the plaint shall state whether the plaintiff is seeking interest in relation to a commercial transaction within the meaning of section 34 of the Code of Civil Procedure, Samvat 1977 and, furthermore, if the plaintiff is doing so under the terms of a contract or under an Act, in which case the Act is to be specified in the plaint ; or on some other basis and shall state the basis of that.

(3) Pleadings shall also state—

- (a) the rate at which interest is claimed ;
- (b) the date from which it is claimed ;
- (c) the date to which it is calculated ;
- (d) the total amount of interest claimed to the date of calculation ; and
- (e) the daily rate at which interest accrues after that date.” ;

(D) in Order VIII,—

- (i) in Rule 1, for the proviso, the following proviso shall be substituted, namely :—

“Provided that where the defendant fails to file the written statement within the said period of thirty days, he shall be allowed to file the written statement on such other day, as may be specified by the Court, for reasons to be recorded in writing and on payment of such costs as the Court deems fit, but which shall not be later than one hundred twenty days from the date of service of summons and on expiry of one hundred twenty days from the date of service of summons, the defendant shall forfeit the right to file the written statement and the Court shall not allow the written statement to be taken on record.” ;

- (ii) after Rule 3, the following Rule shall be inserted, namely :—

“3A. Denial by the defendant in suits before the Commercial Court.—(1) Denial shall be in the manner provided in sub-rules (2), (3), (4) and (5) of this Rule.

(2) The defendant in his written statement shall state which of the allegations in the particulars of plaint he denies, which allegations he is unable to admit or deny, but which he requires the plaintiff to prove, and which allegations he admits.

(3) Where the defendant denies an allegation of fact in a plaint, he must state his reasons for doing so and if he intends to put forward a different version of events from that given by the plaintiff, he must state his own version.

(4) If the defendant disputes the jurisdiction of the Court he must state the reasons for doing so, and if he is able, give his own statement as to which Court ought to have jurisdiction.

(5) If the defendant disputes the plaintiff's valuation of the suit, he must state his reasons for doing so, and if he is able, give his own statement of the value of the suit.” ;

- (iii) in Rule 5, in sub-rule (1), after the first proviso, the following proviso shall be inserted, namely :—

“Provided further that every allegation of fact in the plaint, if not denied in the manner provided under Rule 3A of this Order, shall be taken to be admitted except as against a person under disability.” ;

- (iv) in Rule 10, the following proviso shall be inserted, namely :—

“Provided further that no Court shall make an order to extend the time provided under rule 1 of this Order for filing of the written statement.” ;

- (E) for Order XI of the Code, the following Order shall be substituted, namely :—

“ORDER XI

DISCLOSURE, DISCOVERY AND INSPECTION OF DOCUMENTS IN SUITS BEFORE THE COMMERCIAL COURT

1. *Disclosure and discovery of documents.*—(1) Plaintiff shall file a list of all documents and photocopies of all documents, in its power, possession, control or custody, pertaining to the suit, along with the plaint, including—

- (a) documents referred to and relied on by the plaintiff in the plaint ;
- (b) documents relating to any matter in question in the proceedings, in the power, possession, control or custody of the plaintiff, as on the date of filing the plaint, irrespective of whether the same is in support of or adverse to the plaintiff's case ;

(c) nothing in this Rule shall apply to documents produced by plaintiffs and relevant only—

- (i) for the cross-examination of the defendant's witnesses, or
- (ii) in answer to any case set up by the defendant subsequent to the filing of the plaint, or
- (iii) handed over to a witness merely to refresh his memory.

(2) The list of documents filed with the plaint shall specify whether the documents in the power, possession, control or custody of the plaintiff are originals, office copies or photocopies and the list shall also set out in brief, details of parties to each document, mode of execution, issuance or receipt and line of custody of each document.

(3) The plaint shall contain a declaration on oath from the plaintiff that all documents in the power, possession, control or custody of the plaintiff, pertaining to the facts and circumstances of the proceedings initiated by him have been disclosed and copies thereof annexed with the plaint, and that the plaintiff does not have any other documents in its power, possession, control or custody.

Explanation :— A declaration on oath under this sub-rule shall be contained in the Statement of Truth as set out in the Appendix.

(4) In case of urgent filings, the plaintiff may seek leave to rely on additional documents, as part of the above declaration on oath and subject to grant of such leave by Court, the plaintiff shall file such additional documents in Court, within thirty days of filing the suit, along with a declaration on oath that the plaintiff has produced all documents in its power, possession, control or custody, pertaining to the facts and circumstances of the proceedings initiated by the plaintiff and that the plaintiff does not have any other documents, in its power, possession, control or custody.

(5) The plaintiff shall not be allowed to rely on documents, which were in the plaintiff's power, possession, control or custody and not disclosed along with plaint or within the extended period set out above, save and except by leave of Court and such leave shall be granted only upon the plaintiff establishing reasonable cause for non-disclosure along with the plaint.

(6) The plaintiff shall set out details of documents, which the plaintiff believes to be in the power, possession, control or custody of the defendant and which the plaintiff wishes to rely upon and seek leave for production thereof by the said defendant.

(7) The defendant shall file a list of all documents and photocopies of all documents, in its power, possession, control or custody, pertaining to the suit, along with the written statement or with its counterclaim, if any, including—

- (a) the documents referred to and relied on by the defendant in the written statement ;
- (b) the documents relating to any matter in question in the proceeding in the power, possession, control or custody of the defendant, irrespective of whether the same is in support of or adverse to the defendant's defence ;
- (c) nothing in this Rule shall apply to documents produced by the defendants and relevant only—
 - (i) for the cross-examination of the plaintiff's witnesses ;
 - (ii) in answer to any case set up by the plaintiff subsequent to the filing of the plaint ; or
 - (iii) handed over to a witness merely to refresh his memory.

(8) The list of documents filed with the written statement or counterclaim shall specify whether the documents, in the power, possession, control or custody of the defendant, are originals, office copies or photocopies and the list shall also set out in brief, details of parties to each document being produced by the defendant, mode of execution, issuance or receipt and line of custody of each document.

(9) The written statement or counterclaim shall contain a declaration on oath made by the deponent that all documents in the power, possession, control or custody of the defendant, save and except for those set out in sub-rule (7) (c) (iii) pertaining to the facts and circumstances of the proceedings initiated by the plaintiff or in the counterclaim, have been disclosed and copies thereof annexed with the written statement or counterclaim and that the defendant does not have in its power, possession, control or custody, any other documents.

(10) Save and except for sub-rule (7) (c) (iii), defendant shall not be allowed to rely on documents, which were in the defendant's power, possession, control or custody and not disclosed along with the written statement or counterclaim, save and except by leave of Court and such leave shall be granted only upon the defendant establishing reasonable cause for non-disclosure along with the written statement or counterclaim.

(11) The written statement or counterclaim shall set out details of documents in the power, possession, control or custody of the plaintiff, which the defendant wishes to rely upon and which have not been disclosed with the plaintiff, and call upon the plaintiff to produce the same.

(12) Duty to disclose documents, which have come to the notice of a party, shall continue till disposal of the suit.

2. *Discovery by interrogatories.*—(1) In any suit the plaintiff or defendant by leave of the court may deliver interrogatories in writing for the examination of the opposite parties or any one or more of such parties, and such interrogatories when delivered shall have a note at the foot thereof stating which of such interrogatories each of such persons is required to answer :

Provided that no party shall deliver more than one set of interrogatories to the same party without an order for that purpose :

Provided further that interrogatories which do not relate to any matters in question in the suit shall be deemed irrelevant, notwithstanding that they might be admissible on the oral cross-examination of a witness.

(2) On an application for leave to deliver interrogatories, the particular interrogatories proposed to be delivered shall be submitted to the court, and that court shall decide within seven days from the day of filing of the said application, in deciding upon such application, the court shall take into account any offer, which may be made by the party sought to be interrogated to deliver particulars, or to make admissions, or to produce documents relating to the matters in question, or any of them, and leave shall be given as to such only of the interrogatories submitted as the court shall consider necessary either for disposing fairly of the suit or for saving costs.

(3) In adjusting the costs of the suit inquiry shall at the instance of any party be made into the propriety of exhibiting such interrogatories, and if it is the opinion of the taxing officer or of the court, either with or without an

application for inquiry, that such interrogatories have been exhibited unreasonably, vexatiously, or at improper length, the costs occasioned by the said interrogatories and the answers thereto shall be paid in any event by the party in fault.

(4) Interrogatories shall be in the form provided in Form No. 2 in Appendix C to the Code of Civil Procedure, Samvat 1977, with such variations as circumstances may require.

(5) Where any party to a suit is a corporation or a body of persons, whether incorporated or not, empowered by law to sue or be sued, whether in its own name or in the name of any officer of other person, any opposite party may apply for an order allowing him to deliver interrogatories to any member or officer of such corporation or body, and an order may be made accordingly.

(6) Any objection to answering any interrogatory on the ground that it is scandalous or irrelevant or not exhibited *bona fide* for the purpose of the suit, or that the matters inquired into are not sufficiently material at that stage, or on the ground of privilege or any other ground may be taken in the affidavit in answer.

(7) Any interrogatories may be set aside on the ground that they have been exhibited unreasonably or vexatiously, or struck out on the ground that they are prolix, oppressive, unnecessary or scandalous and any application for this purpose may be made within seven days after service of the interrogatories.

(8) Interrogatories shall be answered by affidavit to be filed within ten days, or within such other time as the court may allow.

(9) An affidavit in answer to interrogatories shall be in the form provided in Form No. 3 in Appendix C to the Code of Civil Procedure, Samvat 1977 with such variations as circumstances may require.

(10) No exceptions shall be taken to any affidavit in answer, but the sufficiency or otherwise of any such affidavit objected to as insufficient shall be determined by the court.

(11) Where any person interrogated omits to answer, or answers insufficiently, the party interrogating may apply to the court for an order requiring him to answer, or to answer further, as the case may be, and an order may be made requiring him to answer, or to answer further, either affidavit or by viva voce examination, as the court may direct.

3. *Inspection.*—(1) All parties shall complete inspection of all documents disclosed within thirty days of the date of filing of the written statement or written statement to the counterclaim, whichever is later. The Court may extend this time limit upon application at its discretion, but not beyond thirty days in any event.

(2) Any party to the proceedings may seek directions from the Court, at any stage of the proceedings, for inspection or production of documents by the other party, of which inspection has been refused by such party or documents have not been produced despite issuance of a notice to produce.

(3) Order in such application shall be disposed of within thirty days of filing such application, including filing replies and rejoinders (if permitted by Court) and hearing.

(4) If the above application is allowed, inspection and copies thereof shall be furnished to the party seeking it, within five days of such order.

(5) No party shall be permitted to rely on a document, which it had failed to disclose or of which inspection has not been given, save and except with leave of Court.

(6) The Court may impose exemplary costs against a defaulting party, who willfully or negligently failed to disclose all documents pertaining to a suit or essential for a decision therein and which are in their power, possession, control or custody or where a Court holds that inspection or copies of any documents had been wrongfully or unreasonably withheld or refused.

4. *Admission and denial of documents.*—(1) Each party shall submit a statement of admissions or denials of all documents disclosed and of which inspection has been completed, within fifteen days of the completion of inspection or any later date as fixed by the Court.

(2) The statement of admissions and denials shall set out explicitly, whether such party was admitting or denying—

- (a) correctness of contents of a document ;
- (b) existence of a document ;
- (c) execution of a document ;

(d) issuance or receipt of a document ;

(e) custody of a document.

Explanation :— A statement of admission or denial of the existence of a document made in accordance with sub-rule (2)(b) shall include the admission or denial of the contents of a document.

(3) Each party shall set out reasons for denying a document under any of the above grounds and bare and unsupported denials shall not be deemed to be denials of a document and proof of such documents may then be dispensed with at the discretion of the Court.

(4) Any party may however submit bare denials for third party documents of which the party denying does not have any personal knowledge of, and to which the party denying is not a party to in any manner whatsoever.

(5) An Affidavit in support of the statement of admissions and denials shall be filed confirming the correctness of the contents of the statement.

(6) In the event that the Court holds that any party has unduly refused to admit a document under any of the above criteria, costs (including exemplary costs) for deciding on admissibility of a document may be imposed by the Court on such party.

(7) The Court may pass orders with respect to admitted documents including for waiver of further proof thereon or rejection of any documents.

5. *Production of documents.*—(1) Any party to a proceeding may seek or the Court may order, at any time during the pendency of any suit, production by any party or person, of such documents in the possession or power of such party or person, relating to any matter in question in such suit.

(2) Notice to produce such document shall be issued in the Form provided in Form No. 7 in Appendix C to the Code of Civil Procedure, Samvat, 1977.

(3) Any party or person to whom such notice to produce is issued shall be given not less than seven days and not more than fifteen days to produce such document or to answer to their inability to produce such document.

(4) The Court may draw an adverse inference against a party refusing to produce such document after issuance of a notice to produce and where sufficient reasons for such non-production are not given and order costs.

6. *Electronic records*.—(1) In case of disclosures and inspection of Electronic Records as defined in the Information Technology Act, 2000 (Central Act No. 21 of 2000), furnishing of printouts shall be sufficient compliance of the above provisions.

(2) At the discretion of the parties or where required (when parties wish to rely on audio or video content), copies of electronic records may be furnished in electronic form either in addition to or in lieu of printouts.

(3) Where Electronic Records form part of documents disclosed, the declaration on oath to be filed by a party shall specify—

- (a) the parties to such electronic record ;
- (b) the manner in which such electronic record was produced and by whom ;
- (c) the dates and time of preparation or storage or issuance or receipt of each such electronic record ;
- (d) the source of such electronic record and date and time when the electronic record was printed ;
- (e) in case of email ids, details of ownership, custody and access to such email ids ;
- (f) in case of documents stored on a computer or computer resource (including on external servers or cloud), details of ownership, custody and access to such data on the computer or computer resource ;
- (g) deponent's knowledge of contents and correctness of contents ;
- (h) whether the computer or computer resource used for preparing or receiving or storing such document or data was functioning properly or in case of malfunction that such malfunction did not affect the contents of the document stored ;
- (i) that the printout or copy furnished was taken from the original computer or computer resource.

(4) The parties relying on printouts or copy in electronic form, of any electronic records, shall not be required to give inspection of electronic records,

provided a declaration is made by such party that each such copy, which has been produced, has been made from the original electronic record.

(5) The Court may give directions for admissibility of electronic records at any stage of the proceedings.

(6) Any party may seek directions from the Court and the Court may of its motion issue directions for submission of further proof of any electronic record including metadata or logs before admission of such electronic record.

7. *Certain provisions of the Code of Civil Procedure, Samvat 1977 not to apply.*—For avoidance of doubt, it is hereby clarified that Order XIII Rule 1, Order VII Rule 14 and Order VIII Rule 1A of the Code of Civil Procedure, Samvat 1977 shall not apply to suits or applications before the Commercial Courts.”.

5. Insertion of new Order XIII-A.—After Order XIII of the Code, the following Order shall be inserted, namely :—

“ORDER XIII A

Summary Judgment

1. *Scope of and classes of suits to which this Order applies.*—

(1) This Order sets out the procedure by which Courts may decide a claim pertaining to any Commercial Dispute without recording oral evidence.

(2) For the purposes of this Order, the word—claim shall include—

- (a) part of a claim ;
- (b) any particular question on which the claim (whether in whole or in part) depends ; or
- (c) a counterclaim, as the case may be.

(3) Notwithstanding anything to the contrary, an application for summary judgment under this Order shall not be made in a suit in respect of any commercial dispute that is originally filed as a summary suit under Order XXXVII.

2. *Grounds for summary judgment.*—The Court may give a summary judgment against a plaintiff or defendant on a claim if it considers that—

- (a) the plaintiff has no real prospect of succeeding on the claim or the defendant has no real prospect of successfully defending the claim, as the case may be ; and
- (b) there is no other compelling reason why the claim should not be disposed of before recording of oral evidence.

3. *Procedure.*—(1) An application for summary judgment to a Court shall, in addition to any other matters the applicant may deem relevant, include the matters set forth in sub-clauses (a) to (f) mentioned hereunder :—

- (a) the application must contain a statement that it is an application for summary judgment made under this Order ;
- (b) the application must precisely disclose all material facts and identify the point of law, if any ;
- (c) in the event the applicant seeks to rely upon any documentary evidence, the applicant must,—
 - (i) include such documentary evidence in its application ; and
 - (ii) identify the relevant content of such documentary evidence on which the applicant relies ;
- (d) the application must state the reason why there are no real prospects of succeeding on the claim or defending the claim, as the case may be ;
- (e) the application must state what relief the applicant is seeking and briefly state the grounds for seeking such relief.

(2) Where a hearing for summary judgment is fixed, the respondent must be given at least thirty days notice of,—

- (a) the date fixed for the hearing ; and
- (b) the claim that is proposed to be decided by the Court at such hearing.

(3) The respondent may, within thirty days of the receipt of notice of application of summary judgment or notice of hearing (whichever is earlier), file a reply addressing the matters set forth in clauses (a) to (f) mentioned hereunder in addition to any other matters that the respondent may deem relevant,—

- (a) the reply must precisely—
 - (i) disclose all material facts ;
 - (ii) identify the point of law, if any ; and
 - (iii) state the reasons why the relief sought by the applicant should not be granted ;
- (b) in the event the respondent seeks to rely upon any documentary evidence in its reply, the respondent must—
 - (i) include such documentary evidence in its reply ; and
 - (ii) identify the relevant content of such documentary evidence on which the respondent relies ;
- (c) the reply must state the reason why there are real prospects of succeeding on the claim or defending the claim, as the case may be ;
- (d) the reply must concisely state the issues that should be framed for trial ;
- (e) the reply must identify what further evidence shall be brought on record at trial that could not be brought on record at the stage of summary judgment ; and
- (f) the reply must state why, in light of the evidence or material on record if any, the Court should not proceed to summary judgment.

4. *Evidence for hearing of summary judgment.*—(1) Notwithstanding anything in this Order, if the respondent in an application for summary judgment wishes to rely on additional documentary evidence during the hearing, the respondent must,—

- (a) file such documentary evidence ; and

- (b) serve copies of such documentary evidence on every other party to the application at least fifteen days prior to the date of the hearing.

(2) Notwithstanding anything in this Order, if the applicant for summary judgment wishes to rely on documentary evidence in reply to the defendant's documentary evidence, the applicant must,—

- (a) file such documentary evidence in reply ; and
- (b) serve a copy of such documentary evidence on the respondent at least five days prior to the date of the hearing.

(3) Notwithstanding anything to the contrary, sub-rules (1) and (2) shall not require documentary evidence to be,—

- (a) filed if such documentary evidence has already been filed ; or
- (b) served on a party on whom it has already been served.

5. *Orders that may be made by Court.*—(1) On an application made under this Order, the Court may make such orders that it may deem fit in its discretion including the following :—

- (a) judgment on the claim ;
- (b) conditional order in accordance with Rule 7 mentioned hereunder ;
- (c) dismissing the application ;
- (d) dismissing part of the claim and a judgment on part of the claim that is not dismissed ;
- (e) striking out the pleadings (whether in whole or in part) ; or
- (f) further directions to proceed for case management under Order XVA.

(2) Where the Court makes any of the orders as set forth in sub-rules (1) (a) to (f), the Court shall record its reasons for making such order.

6. *Conditional order.*— (1) Where it appears to the Court that it is possible that a claim or defence may succeed but it is improbable that it shall do so, the Court may make a conditional order as set forth in Rule 5 (1) (b).

(2) Where the Court makes a conditional order, it may,—

(a) make it subject to all or any of the following conditions :—

- (i) require a party to deposit a sum of money in the Court ;
- (ii) require a party to take a specified step in relation to the claim or defence, as the case may be ;
- (iii) require a party, as the case may be, to give such security or provide such surety for restitution of costs as the Court deems fit and proper ;
- (iv) impose such other conditions, including providing security for restitution of losses that any party is likely to suffer during the pendency of the suit, as the Court may deem fit in its discretion ; and

(b) specify the consequences of the failure to comply with the conditional order, including passing a judgment against the party that have not complied with the conditional order.

7. *Power to impose costs.*—The Court may make an order for payment of costs in an application for summary judgment in accordance with the provisions of sections 35 and 35A of the Code.”.

6. Insertion of Order XVA.—After Order XV of the Code, the following Order shall be inserted, namely :—

“ORDER XV-A

CASE MANAGEMENT HEARING

1. *First Case Management Hearing.*—The Court shall hold the first Case Management Hearing, not later than four weeks from the date of filing of affidavit of admission or denial of documents by all parties to the suit.

2. *Orders to be passed in a Case Management Hearing.*—In a Case Management Hearing, after hearing the parties, and once it finds that

there are issues of fact and law which require to be tried, the Court may pass an order—

- (a) framing the issues between the parties in accordance with Order XIV of the Code of Civil Procedure, Samvat 1977 after examining pleadings, documents and documents produced before it, and on examination conducted by the Court under Rule 2 of Order X, if required ;
- (b) listing witnesses to be examined by the parties ;
- (c) fixing the date by which affidavit of evidence to be filed by parties ;
- (d) fixing the date on which evidence of the witnesses of the parties to be recorded ;
- (e) fixing the date by which written arguments are to be filed before the Court by the parties ;
- (f) fixing the date on which oral arguments are to be heard by the Court ; and
- (g) setting time limits for parties and their advocates to address oral arguments.

3. *Time limit for the completion of a trial.*—In fixing dates or setting time limits for the purposes of Rule 2 of this Order, the Court shall ensure that the arguments are closed not later than six months from the date of the first Case Management Hearing.

4. *Recording of oral evidence on a day-to-day basis.*—The Court shall, as far as possible, ensure that the recording of evidence shall be carried on, on a day-to-day basis until the cross-examination of all the witnesses is complete.

5. *Case Management Hearings during a trial.*—The Court may, if necessary, also hold Case Management Hearings anytime during the trial to issue appropriate orders so as to ensure adherence by the parties to the dates fixed under Rule 2 and facilitate speedy disposal of the suit.

6. *Powers of the Court in a Case Management Hearing.*—(1) In any Case Management Hearing held under this Order, the Court shall have the power to—

- (a) prior to the framing of issues, hear and decide any pending application filed by the parties under Order XIII-A ;
- (b) direct parties to file compilations of documents or pleadings relevant and necessary for framing issues ;
- (c) extend or shorten the time for compliance with any practice, direction or Court order if it finds sufficient reason to do so ;
- (d) adjourn or bring forward a hearing if it finds sufficient reason to do so ;
- (e) direct a party to attend the Court for the purposes of examination under Rule 2 of Order X ;
- (f) consolidate proceedings ;
- (g) strike off the name of any witness or evidence that it deems irrelevant to the issues framed ;
- (h) direct a separate trial of any issue ;
- (i) decide the order in which issues are to be tried ;
- (j) exclude an issue from consideration ;
- (k) dismiss or give judgment on a claim after a decision on a preliminary issue ;
- (l) direct that evidence be recorded by a commission where necessary in accordance with Order XXVI ;
- (m) reject any affidavit of evidence filed by the parties for containing irrelevant, inadmissible or argumentative material ;
- (n) strike off any parts of the affidavit of evidence filed by the parties containing irrelevant, inadmissible or argumentative material ;
- (o) delegate the recording of evidence to such authority appointed by the Court for this purpose ;

- (p) pass any order relating to the monitoring of recording the evidence by a commission or any other authority ;
- (q) order any party to file and exchange a costs budget ;
- (r) issue directions or pass any order for the purpose of managing the case and furthering the overriding objective of ensuring the efficient disposal of the suit.

(2) When the Court passes an order in exercise of its powers under this Order, it may—

- (a) make it subject to conditions, including a condition to pay a sum of money into Court ; and
- (b) specify the consequence of failure to comply with the order or a condition.

(3) While fixing the date for a Case Management Hearing, the Court may direct that the parties also be present for such Case Management Hearing, if it is of the view that there is a possibility of settlement between the parties.

7. Adjournment of Case Management Hearing.—(1) The Court shall not adjourn the Case Management Hearing for the sole reason that the advocate appearing on behalf of a party is not present :

Provided that an adjournment of the hearing is sought in advance by moving an application, the Court may adjourn the hearing to another date upon the payment of such costs as the Court deems fit, by the party moving such application.

(2) Notwithstanding anything contained in this Rule, if the Court is satisfied that there is a justified reason for the absence of the advocate, it may adjourn the hearing to another date upon such terms and conditions it deems fit.

8. Consequences of non-compliance with orders.—Where any party fails to comply with the order of the Court passed in a Case Management Hearing, the Court shall have the power to—

- (a) condone such non-compliance by payment of costs to the Court ;

- (b) foreclose the non-compliant party's right to file affidavits, conduct cross-examination of witnesses, file written submissions, address oral arguments or make further arguments in the trial, as the case may be, or
- (c) dismiss the plaint or allow the suit where such non-compliance is willful, repeated and the imposition of costs is not adequate to ensure compliance.”.

7. Amendment of Order XVIII.—In Order XVIII of the Code,—

- (i) in Rule 2 after sub-rule (3), the following shall be inserted, namely :—

“(3A) A party shall, within four weeks prior to commencing the oral arguments, submit concisely and under distinct headings written arguments in support of his case to the Court and such written arguments shall form part of the record.

(3B) The written arguments shall clearly indicate the provisions of the laws being cited in support of the arguments and the citations of judgments being relied upon by the party and include copies of such judgments being relied upon by the party.

(3C) A copy of such written arguments shall be furnished simultaneously to the opposite party.

(3D) The Court may, if it deems fit, after the conclusion of arguments, permit the parties to file revised written arguments within a period of not more than one week after the date of conclusion of arguments.

(3E) No adjournment shall be granted for the purpose of filing the written arguments unless the Court, for reasons to be recorded in writing, considers it necessary to grant such adjournment.

(3F) It shall be open for the Court to limit the time for oral submissions having regard to the nature and complexity of the matter.”.

- (ii) in Rule 4, after sub-rule (1), the following sub-rules shall be inserted, namely :—

“(1A) The affidavits of evidence of all witnesses whose evidence is proposed to be led by a party shall be filed simultaneously by that party at the time directed in the first Case Management Hearing.

(1B) A party shall not lead additional evidence by the affidavit of any witness (including of a witness who has already filed an affidavit) unless sufficient cause is made out in an application for that purpose and an order, giving reasons, permitting such additional affidavit is passed by the Court.

(1C) A party shall however have the right to withdraw any of the affidavits so filed at any time prior to commencement of cross-examination of that witness, without any adverse inference being drawn based on such withdrawal :

Provided that any other party shall be entitled to tender as evidence and rely upon any admission made in such withdrawn affidavit.”.

8. Amendment to Order XIX.—In Order XIX of the Code, after Rule 3, the following Rules shall be inserted, namely :—

“4. Court may control evidence.—(1) The Court may, by directions, regulate the evidence as to issues on which it requires evidence and the manner in which such evidence may be placed before the Court.

(2) The Court may, in its discretion and for reasons to be recorded in writing, exclude evidence that would otherwise be produced by the parties.

5. Redacting or rejecting evidence.—A Court may, in its discretion, for reasons to be recorded in writing—

- (i) redact or order the redaction of such portions of the affidavit of examination-in-chief as do not, in its view, constitute evidence ; or

- (ii) return or reject an affidavit of examination-in-chief as not constituting admissible evidence.

6. Format and guidelines of affidavit of evidence.—An affidavit must comply with the form and requirements set forth below :—

- (a) such affidavit should be confined to, and should follow the chronological sequence of, the dates and events that are relevant for proving any fact or any other matter dealt with ;
- (b) where the Court is of the view that an affidavit is a mere reproduction of the pleadings, or contains the legal grounds of any party's case, the Court may, by order, strike out the affidavit or such parts of the affidavit, as it deems fit and proper ;
- (c) each paragraph of an affidavit should, as far as possible, be confined to a distinct portion of the subject ;
- (d) an affidavit shall state—
 - (i) which of the statements in it are made from the deponent's own knowledge and which are matters of information or belief ; and
 - (ii) the source for any matters of information or belief ;
- (e) an affidavit should—
 - (i) have the pages numbered consecutively as a separate document (or as one of several documents contained in a file) ;
 - (ii) be divided into numbered paragraphs ;
 - (iii) have all numbers, including dates, expressed in figures ; and
 - (iv) if any of the documents referred to in the body of the affidavit are annexed to the affidavit or any other pleadings, give the annexure and page numbers of such documents that are relied upon.”.

9. Amendment of order XX.—In Order XX of the Code, for Rule 1, the following Rule shall be substituted, namely :—

“(1) The Commercial Courts or Commercial Appellate Courts, as the case may be, shall, within ninety days of the conclusion of arguments, pronounce judgment and copies thereof shall be issued to all the parties to the dispute through electronic mail or otherwise.”.

10. After Appendix H, the following Appendix shall be inserted, namely :—

“APPENDIX-I

STATEMENT OF TRUTH

(Under First Schedule, Order VI-Rule 15A and Order XI-Rule 3)

I,..... the deponent do hereby solemnly affirm and declare as under :—

1. I am the party in the above suit and competent to swear this affidavit.
2. I am sufficiently conversant with the facts of the case and have also examined all relevant documents and records in relation thereto.
3. I say that the statement made in paragraphs are true to my knowledge and statements made in paragraphs are based on information received which I believe to be correct and statements made in paragraphs are based on legal advice.
4. I say that there is no false statement or concealment of any material fact, document or record and I have included information that is according to me, relevant for the present suit.
5. I say that all documents in my power, possession, control or custody, pertaining to the facts and circumstances of the proceedings initiated by me have been disclosed and copies thereof annexed with the plaint, and that I do not have any other documents in my power, possession, control or custody.

6. I say that the above mentioned pleading comprises of a total.....pages, each of which has been duly signed by me.
7. I state that the Annexure hereto are true copies of the documents referred to and relied upon by me.
8. I say that I am aware that for any false statement or concealment, I shall be liable for action taken against me under the law for the time being in force.

Place :

Date :

DEPONENT

VERIFICATION

I, do hereby declare that the statements made above are true to my knowledge.

Verified at on this.....

DEPONENT

SATYA PAL MALIK,
Governor.

(Sd.) ACHAL SETHI,
Special Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Tue., the 11th Sept., 2018/20th Bhad., 1940. [No. 23-w

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW,
JUSTICE AND PARLIAMENTARY AFFAIRS
(Power Section)

Notification

Srinagar, the 11th of September, 2018.

SRO-393.—In exercise of powers conferred by sub-section (1) of
section 12 of the Code of Criminal Procedure, Samvat 1989, the Government

hereby appoint the officers mentioned in the annexure to this notification to be the Executive Magistrates of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within such jurisdiction as may be assigned to them by the District Magistrate, Udhampur till the municipal elections are over.

By order of the Government of Jammu and Kashmir

(Sd.) ACHAL SETHI,
Secretary to Government (Incharge),
Department of Law, Justice and Parliamentary Affairs.

MC-wise proposal for Zonal and Sectoral Magistrates of District Udhampur for Municipap Election

Name of Municipal Council/ Committee	Name of Zone	Name of Officer appointed as Zonal Magistrate	Designation with Place of Posting	Contact No.	Name of Sector	Name of Officer appointed as Sectoral Magistrate	Designation with Place of Posting	Contact No.
1	2	3	4	5	6	7	8	9
81-Udhampur Municipal Council	MC Udh-1	Sh.Ved Parkash	Tehsildar, Udhampur	9419161829	Udh. Sector-1	Sh. Balwant Singh	Naib- Tehsildar, Udhampur	9419161122
					Udh. Sector-2	Sh. Vinod Badyal	Naib- Tehsildar, Tikri	9419160598
	MC Udh-2	Sh. Mehboob Khan	Head- quarter Asth. to Dy. Commis- sioner Udh.	9906272786	Udh. Sector-3	Sh. Suresh Parihar	Naib- Tehsildar, Jagano	9906083174

1	2	3	4	5	6	7	8	9
					Udh. Sector-4	Sh. Vijay Kumar	Naib- Tehsildar, National Highway Section, Udhampur	7006905713
82-Municipal Committee Ramnagar	MC Rgr.	Sh. Romesh Singh	Tehsildar, Ramnagar	9469352427	Rgr. Sector-1	Sh. Arif Tak	Naib- Tehsildar, Ghordi	9419166286
					Rgr. Sector-2	Sh. Yash Paul Singh	Naib- Tehsildar, Dalsar	9419214926
83-Chenani Municipal Committee	MC Chenani	Sh. Pardeep Singh	Tehsildar, Chenani	9906220811	Chenani Sector-1	Sh. Rafiq Ahmed	Naib- Tehsildar, Sudh Maha Dev	9419161809



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Mon., the 1st Oct., 2018/9th Asv., 1940. [No. 26-3

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Legislation Section)

Srinagar, the 1st October, 2018.

The following Act has been assented to by the Governor on
1st October, 2018 and is hereby published for general information :—

**THE JAMMU AND KASHMIR ARBITRATION AND
CONCILIATION (AMENDMENT) ACT, 2018**

(Governor Act No. XVIII of 2018)

[1st October, 2018.]

Enacted by the Governor in the Sixty-ninth Year of the Republic of
India.

An Act to amend the Jammu and Kashmir Arbitration and Conciliation Act, 1997.

In exercise of the powers vested under Proclamation No. P-1/18 of 2018 dated 20th June, 2018, the Governor is pleased to enact as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Jammu and Kashmir Arbitration and Conciliation (Amendment) Act, 2018.

(2) It shall come into force from the date of its publication in the Government Gazette.

2. *Insertion of section 8-A, section 8-B, Act No. XXXV of 1997.*—In the Jammu and Kashmir Arbitration and Conciliation Act, 1997 (hereinafter referred to as ‘the principal Act’), after section 8, the following sections shall be inserted, namely :—

“8-A. Power of the court, seized of petitions under sections 9 or 11 of the Act, to refer the dispute to Mediation or Conciliation.—

(1) If during the pendency of petitions under sections 9 or 11 of the Act, it appears to the court, that there exists elements of a settlement which may be acceptable to the parties, the court may, with the consent of parties, refer the parties, for resolution of their disputes, to :

(a) Mediation ; or

(b) Conciliation.

(2) Reference to mediation :

(i) Where a dispute has been referred for resolution by recourse to mediation, the procedure envisaged under Civil Procedure Alternative Dispute Resolution Rules, 2009 shall apply.

(ii) In case of a successful resolution of the dispute, the Mediator shall immediately forward the mediated settlement to the referral court.

(iii) On receipt of the mediated settlement, the referral court shall independently apply its judicial mind

and record a satisfaction that the mediated settlement is genuine, lawful, voluntary, entered into without coercion, undue influence, fraud or misrepresentation and that there is no other legal impediment in accepting the same.

- (iv) The court shall record a statement on oath of the parties, or their authorized representatives, affirming the mediated settlement as well as a clear undertaking of the parties to abide by the terms of the settlement.
- (v) If satisfied, the court shall pass an order in terms of the settlement.
- (vi) If the main petition, in which the reference was made is pending, it shall be disposed of by the referral court in terms thereof.
- (vii) If the main petition, in which the reference was made stands disposed of, the mediated settlement and the matter shall be listed before the referral court, which shall pass orders in accordance with clause (iii), (iv) and (v) above.
- (viii) Such a mediated settlement, shall have the same status and effect as an arbitral award and may be enforced in the manner prescribed under section 36 of the Act.

(3) Reference to conciliation :

- (i) The provisions of Part II of the Jammu and Kashmir Arbitration and Conciliation Act, 1997 shall apply as if the conciliation proceedings were initiated by the parties under the relevant provision of this Act.”

“8-B. Power of the court, seized of matters under sections 34 or 37 of the Act, to refer the dispute to Mediation or Conciliation.—

- (1) If during the pendency of a petition under section 34 or an appeal under section 37 of the Act, it appears to the court,

that there exists elements of a settlement which may be acceptable to the parties, the court may, with the consent of parties, refer the parties, for resolution of their disputes, to :

- (a) Mediation ; or
- (b) Conciliation.

(2) Reference to mediation :

- (i) Where a dispute has been referred for resolution by recourse to mediation, the procedure envisaged under the Civil Procedure Alternative Dispute Resolution and Mediation Rules, 2009 shall apply.
- (ii) In case of a successful resolution of the dispute, the Mediator shall immediately forward the mediated settlement to the referral court.
- (iii) On receipt of the mediated settlement, the referral court shall independently apply its judicial mind and record a satisfaction that the mediated settlement is genuine, lawful, voluntary, entered into without coercion, undue influence, fraud or misrepresentation and that there is no other legal impediment in accepting the same.
- (iv) The court shall record a statement on oath of the parties, or their authorized representatives, affirming the mediated settlement, a clear undertaking of the parties to abide by the terms of the settlement as well as statement to the above effect.
- (v) If satisfied, the court shall pass an order in terms of the settlement.
- (vi) If the main petition, in which the reference was made is pending, it shall be disposed of by the referral court in terms thereof.

(vii) If the main petition, in which the reference was made stands disposed of, the mediated settlement and the matter shall be listed before the referral court, which shall pass orders in accordance with clause (iii), (iv) and (v) above.

(viii) Such a mediated settlement, shall have the status of a modified arbitral award and may be enforced in the manner prescribed under section 36 of the Act.

(3) Reference to conciliation :

(i) The provisions of Part II of the Jammu and Kashmir Arbitration and Conciliation Act, 1997 shall apply as if the conciliation proceedings were initiated by the parties under the relevant provision of this Act.”

3. *Amendment of section 11, Act No. XXXV of 1997.*—

In section 11 of ‘the principal Act’, after sub-section (9), the following sub-section shall be added, namely :—

“(10) An application made under this section for appointment of an arbitrator or arbitrators shall be disposed of by the High Court or the person or institution designated by such Court, as the case may be, as expeditiously as possible and an endeavour shall be made to dispose of the matter within a period of sixty days from the date of service of notice on the opposite party.”

4. *Substitution of section 17, Act No. XXXV of 1997.*—

For section 17 of ‘the principal Act’, the following section shall be substituted, namely :—

“17. Interim measures ordered by arbitral tribunal.—

(1) A party may, during the arbitral proceedings or at any time after the making of the arbitral award but before it is enforced in accordance with section 36, apply to the arbitral tribunal,—

(i) for the appointment of a guardian for a minor or person of unsound mind for the purposes of arbitral proceedings ; or

(ii) for an interim measure of protection in respect of any of the following matters, namely :—

- (a) the preservation, interim custody or sale of any goods which are the subject-matter of the arbitration agreement ;
- (b) securing the amount in dispute in the arbitration ;
- (c) the detention, preservation or inspection of any property or thing which is the subject-matter of the dispute in arbitration, or as to which any question may arise therein and authorizing for any of the aforesaid purposes any person to enter upon any land or building in the possession of any party, or authorizing any samples to be taken, or any observation to be made, or experiment to be tried, which may be necessary or expedient for the purpose of obtaining full information or evidence ;
- (d) interim injunction or the appointment of a receiver ;
- (e) such other interim measure of protection as may appear to the arbitral tribunal to be just and convenient,

and the arbitral tribunal shall have the same power for making orders, as the court has for the purpose of, and in relation to, any proceedings before it.

(2) Subject to any orders passed in an appeal under section 37, any order issued by the arbitral tribunal under this section shall be deemed to be an order of the Court for all purposes and shall be enforceable under the Code of Civil Procedure, Samvat 1977 in the same manner as if it were an order of the Court.”.

5. *Amendment of section 24, Act No. XXXV of 1997.*—
In section 24 of ‘the principal Act’, after the proviso to sub-section (1), the following proviso shall be inserted, namely :—

“Provided further that the arbitral tribunal shall, as far as possible, hold oral hearings for the presentation of evidence or for oral argument on day-to-day basis, and not grant any adjournments unless sufficient cause is made out, and may impose costs including exemplary costs on the party seeking adjournment without any sufficient cause.”.

6. *Insertion of section 29A, section 29B, Act No. XXXV of 1997.*—
After section 29 of ‘the principal Act’, the following sections shall be inserted, namely :—

“29A. Time limit for arbitral award.—(1) The award shall be made within a period of twelve months from the date the arbitral tribunal enters upon the reference.

Explanation :— For the purpose of this sub-section, an arbitral tribunal shall be deemed to have entered upon the reference on the date on which the arbitrator or all the arbitrators, as the case may be, have received notice, in writing, of their appointment.

(2) If the award is made within a period of six months from the date the arbitral tribunal enters upon the reference, the arbitral tribunal shall be entitled to receive such amount of additional fees as the parties may agree.

(3) The parties may, by consent, extend the period specified in sub-section (1) for making award for a further period not exceeding six months.

(4) If the award is not made within the period specified in sub-section (1) or the extended period specified under sub-section (3), the mandate of the arbitrator(s) shall terminate unless the Court has, either prior to or after the expiry of the period so specified, extended the period :

Provided that while extending the period under this sub-section, if the Court finds that the proceedings have been delayed for the reasons attributable to the arbitral tribunal, then, it may order reduction of

fees of arbitrator(s) by not exceeding five per cent for each month of such delay.

(5) The extension of period referred to in sub-section (4) may be on the application of any of the parties and may be granted only for sufficient cause and on such terms and conditions as may be imposed by the Court.

(6) While extending the period referred to in sub-section (4), it shall be open to the Court to substitute one or all of the arbitrators and if one or all of the arbitrators are substituted, the arbitral proceedings shall continue from the stage already reached and on the basis of the evidence and material already on record, and the arbitrator(s) appointed under this section shall be deemed to have received the said evidence and material.

(7) In the event of arbitrator(s) being appointed under this section, the arbitral tribunal thus reconstituted shall be deemed to be in continuation of the previously appointed arbitral tribunal.

(8) It shall be open to the Court to impose actual or exemplary costs upon any of the parties under this section.

(9) An application filed under sub-section (5) shall be disposed of by the Court as expeditiously as possible and endeavour shall be made to dispose of the matter within a period of sixty days from the date of service of notice on the opposite party.

29B. Fast Track Procedure.—(1) Notwithstanding anything contained in this Act, the parties to an arbitration agreement, may, at any stage either before or at the time of appointment of the arbitral tribunal, agree in writing to have their dispute resolved by fast track procedure specified in sub-section (3).

(2) The parties to the arbitration agreement, while agreeing for resolution of dispute by fast track procedure, may agree that the arbitral tribunal shall consist of a sole arbitrator who shall be chosen by the parties.

(3) The arbitral tribunal shall follow the following procedure while conducting arbitration proceedings under sub-section (1) : —

- (a) The arbitral tribunal shall decide the dispute on the basis of written pleadings, documents and submissions filed by the parties without any oral hearing ;
- (b) The arbitral tribunal shall have power to call for any further information or clarification from the parties in addition to the pleadings and documents filed by them ;
- (c) An oral hearing may be held only, if, all the parties make a request or if the arbitral tribunal considers it necessary to have oral hearing for clarifying certain issues ;
- (d) The arbitral tribunal may dispense with any technical formalities, if an oral hearing is held, and adopt such procedure as deemed appropriate for expeditious disposal of the case.

(4) The award under this section shall be made within a period of six months from the date the arbitral tribunal enters upon the reference.

(5) If the award is not made within the period specified in sub-section (4), the provisions of sub-sections (3) to (9) of section 29A shall apply to the proceedings.

(6) The fees payable to the arbitrator and the manner of payment of the fees shall be such as may be agreed between the arbitrator and the parties.”.

7. *Amendment of section 34, Act No. XXXV of 1997.*—In section 34 of ‘the principal Act’—

(I) after sub-section (2) the following sub-section shall be inserted, namely :—

“(2A) An arbitral award may also be set aside by the Court, if the Court finds that the award is vitiated by patent illegality appearing on the face of the award :

Provided that an award shall not be set aside merely on the ground of an erroneous application of the law or by re-appreciation of evidence.” ;

(II) In sub-section (3),—

- (i) for the words, “three months” the words, “six months” shall respectively be substituted ;
- (ii) in proviso thereto, for the words, “three months” and the words, “thirty days” the words, “six months” and the words “sixty days” shall be substituted respectively.

(III) after sub-section (4), the following sub-sections shall be inserted, namely :—

“(5) An application under this section shall be filed by a party only after issuing a prior notice to the other party and such application shall be accompanied by an affidavit by the applicant endorsing compliance with the said requirement.

(6) An application under this section shall be disposed of expeditiously, and in any event, within a period of one year from the date on which the notice referred to in sub-section (5) is served upon the other party.”.

SATYA PAL MALIK,
Governor.

(Sd.) ASHISH GUPTA,
Deputy Legal Remembrancer,
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